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## **AGES OF ATTENDANCE**

All students are covered by the compulsory attendance law between the ages of seven and sixteen years. North Dakota law also provides that the public schools shall be free to all persons between the ages of six and twenty-one.

Children who are entering kindergarten or first grade must present birth certificates or other legal proof of age and identity. At other levels, official transfer papers from other districts will serve as proof of age, but additional proof of identity will be required.

Children in need of special education services will begin receiving services at age 3 as mandated by state and federal law.

Legal Ref: NDCC Ch. 15.1-20, School Attendance

NDCC 15.1-06-01, Schools free and accessible - School ages

NDCC Ch. 15.1-32, Special Education

NDCC 54-23.2-04.2, School enrollment procedures to aid identification and location of missing children

20 U.S.C. 1413 Individuals with Disabilities Education Act

End of Policy

FBA.....Amended: 10/20/09

## **EARLY ENTRANCE REQUIREMENTS**

North Dakota law provides a way whereby earlier entrance into kindergarten or first grade may be permitted for a child with special talents or abilities. A child may qualify for early kindergarten or first grade entrance through a series of developmental and readiness screening instruments approved by the Superintendent of Public Instruction and administered by the school district.

The Superintendent shall prepare a procedure for application and testing and a list of instruments to be used in the testing and attach them to this policy. Evaluation shall be accomplished by a team of professionals including a principal, a classroom teacher and such members of the special education staff as may be deemed appropriate. The testing shall be done by a professional who is competent and certified in testing procedures and interpretation.

A team evaluation will be developed and a report, both verbal and written, will be provided the parents of the child in question. The team decision is final, but if admitted, the first 9 weeks will be a probationary period, at which time a reassessment will be made.

Evaluation will be done twice yearly, in April and August. The August evaluation is for those who move into the community during the summer.

The School Board will carry the costs of these evaluations for students within the district. A fee for evaluation services will be charged for out-of-district students and such monies will revert to the district.

This district may honor evaluations of other districts, but will still require the probationary period.

Legal Ref: NDCC 15.1-06-01, Schools free and accessible - School ages  
End of Policy

FBAA.....Adopted: 10/20/09

Descriptor Code: FBBB

## **EDUCATION OF EXCEPTIONAL CHILDREN**

The Glen Ullin Public School District assures that all students with disabilities age 3 through 21, have the right to a free and appropriate public education in accordance with IDEA and North Dakota Century Code. For the purpose of providing this assurance, the Glen Ullin Public School district is a member of the Morton-Sioux Special Education Unit.

Legal Ref: 20 U.S.C. 1413, Individuals with Disabilities Education Act

20 U.S.C.1232g, Family Educational Rights and Privacy Act

34 CFR 300.121-122, Regulations

42. U.S.C. 12101-12213, Americans with Disabilities Act

Section 503, Rehabilitation Act of 1973

NDCC Ch. 15.1-32, Special Education

NDCC Ch. 15.1-33, Multidistrict Special Education Program

End of Policy FBBB.....Amended: 10/20/09

## **SEXUAL HARASSMENT**

A learning and working environment that is free from sexual harassment will be maintained in the Glen Ullin School District. It will be a violation of policy for any member of the district staff to harass another staff member or student, or for students to harass employees or other students, through conduct or communications of a sexual nature as defined by this policy, whether *quid pro quo* or as creation of a hostile environment. Further, this district will not tolerate the harassment of any staff member or student by any third party. This prohibition shall be in effect in any building belonging to or used by the Glen Ullin School District or on the grounds of any such building or on any property or in any vehicle belonging to or used by the Glen Ullin School District or at any school-related activity.

Any person who believes he or she has been the victim of sexual harassment by any employee or student in the school district or any third person with knowledge or belief of conduct which may constitute sexual harassment, should report the alleged acts immediately to any teacher, counselor, or administrator, or directly to the board president. The person receiving the complaint shall refer it to the District Title IX Coordinator for investigation. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status or affect future employment, work assignments, or grades.

Administrators and supervisors will make it clear to their staff and students that sexual harassment is prohibited by board policy and is grounds for disciplinary action. Administrators will use staff meetings and inservice sessions and student assemblies to inform employees and students of their rights and remedies under the law.

A substantiated charge against a school district staff member will subject such member to disciplinary action, which may include discharge.

A substantiated charge against a student in the school district will subject that student to disciplinary action, which may include suspension or expulsion, consistent with student disciplinary policies.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct or communication of a sexual nature when (1) submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education, advancement or grade, (2) submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment or education, or (3) such conduct or communication has the purpose or effect of substantially or

unreasonably interfering with an individual's employment or education or creating an intimidating, hostile, or offensive employment or education environment.  
Sexual harassment, as defined above, may include, but is not limited to:

1. Sexual or "dirty" jokes..
2. Sexual advances.
3. Pressure for sexual favors.
4. Unwelcome touching, such as patting, pinching, or constant brushing against another's body.
5. Displaying or distributing of sexually explicit drawings, pictures, or written materials.
6. Graffiti of sexual nature.
7. Sexual gestures.
8. Touching oneself sexually or talking about one's sexual activity in front of others.
9. Spreading rumors about or rating other students as to sexual activity or performance.
10. Remarks as to a person's sexual orientation.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the school district's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge for employees or suspension and expulsion for students.

Notice of this policy will be circulated to all district schools and departments and incorporated in teacher and student handbooks.

Legal Ref: 1964 Civil Rights Act, Title VII  
1972 Educational Amendments, Title IX  
45 CFR Part 86, Regulations

End of Policy AACA.....Amended: 10/20/09

## **CRITERIA FOR GRANTING PARENT OFFENDERS PRIVILEGES TO ENTER SCHOOL PROPERTY**

The Superintendent may consider the following criteria and/or relevant information when determining if a parent offender shall be granted privileges to enter school property for any purpose beyond those rights afforded by state and federal law:

1. The risk level assigned to the parent offender by the Bureau of Criminal Investigation. High risk and lifetime offenders will generally not be granted privileges to enter school property in excess of those provided by law. When the Superintendent deems it necessary to grant a high risk or lifetime offender privileges, the privileges will be limited in scope.
2. When available, the circumstances surrounding the offense.
3. The age of the offender's victim. Parent offenders who have committed a crime/offense against a minor will generally not be granted privileges in excess of those provided in law. When the Superintendent deems it appropriate to grant these offenders privileges, the privileges may be limited in scope.
4. The age at which the offender committed the crime/offense.
5. The duration of time that has passed since the parent offender committed the crime/offense.
6. The nature of the activity, event, or purpose for which the parent offender has requested entry on school property. The Superintendent shall take into account the level of supervision provided to district students and the level of supervision that district will be able to provide, if any, to the parent offender during the time the offender has requested to be on school property.

The Superintendent may solicit the input of law enforcement officials when determining if a parent offender shall be granted privileges to enter school property beyond those right afforded in law. These privileges will be granted in accordance with the District's sexual offender policy and may contain restrictions and prohibitions. The Superintendent may at any time, with cause, revoke these privileges.

End of Glen Ullin Regulation

FBBH.....Approved: 10/20/09



## **INOCULATIONS**

The parents or guardian of each child admitted to the schools shall present a certification from a licensed physician or authorized representative of the State Department of Health that the child has received or is in the process of receiving those immunizations required by law except as exempted by law. A completed immunization report must be on file for each student.

Legal Ref: NDCC 23-07-17.1, Inoculation required before admission to school

End of Policy

FBC.....Amended: 10/20/09

## ADMISSION OF NON-RESIDENT STUDENTS

Glen Ullin Public School shall admit students from other districts to its school when it can be done without injuring or overcrowding its schools. When the students are received from a district that does not offer the grade level in which the student requires enrollment the Board must charge tuition to the sending district, as prescribed by law. When the student has been placed at a group or residential care facility or a residential treatment center in accordance with NDCC 15.1-29-14, the Board shall charge tuition to the sending district unless a waiver of tuition agreement has been entered into with the sending district. Students who wish to transfer from schools that have been deemed in need of improvement under federal and/or state law shall be allowed to transfer to a school in this district if there is no school in their home district that is not so designated. The Superintendent shall determine which school(s) in the district will receive such students

The district may also admit students whose tuition is paid by a parent or guardian. Admittance of students under the open enrollment law will be governed by Policy ABCBB/FBDB (Open Enrollment). Enrollment of homeless students as defined under the McKinney-Vento Homeless Assistance Act will continue to be governed by Policy AACE/FBBD--Education of the Homeless.

### Enrollment of Suspended and Expelled Students

Any student who has been suspended or expelled from another district will not be permitted to enroll in the Glen Ullin Public School District #13 until eligible to reenroll in his or her former district or until the Board and the Superintendent has reviewed the prior suspension and determines that the suspension or expulsion was illegal or improperly given.

Cross Ref: Policy ABCBB/FBDB Open Enrollment

Policy AACE/FBBD Education of the Homeless

Policy FBEB/GCAE Placement Adjustment of Transfer Students

Policy HC B Tuition Fees

Legal Ref: PL 107-110, No Child Left Behind Act of 2001

NDCC Ch. 15.1-29, Nonresident Tuition and Reciprocity

NDCC Ch. 15.1-31, Open Enrollment

NDCC 54-23.2-04.2, School enrollment procedures to aid identification and location of missing children

End of Policy ABCB.....Amended: 10/20/09

## **OPEN ENROLLMENT**

The Glen Ullin Public School District will accept students from other districts under the provisions of the North Dakota Open Enrollment Law.

The school district shall admit students from other districts to its school when it can be done without injuring or overcrowding its school buildings.

When students are received from districts which do NOT offer the grade level in which the student requires enrollment, the board must charge tuition to the sending district as prescribed by law.

When students are received under the open enrollment policy from a school district which offers the grade level required by the student, no tuition will be charged for students.

Application forms are available at the school office. These forms must be completed by the parent, signed, and submitted to the sending district according to the dates prescribed in law.

Open enrollment applications received from other North Dakota school districts will be acted upon by the Glen Ullin School Board at the times prescribed in law. All applications will be reviewed in the same chronological order as they are received. Criteria for acceptance or rejection shall be based upon the capacity of a particular program/grade level or on the capacity of the school building.

The district will not deny an application based on previous academic achievement, participation in extra-curricular activities, disabilities, English proficiency, or previous disciplinary proceedings.

This school district will not give or offer to give remuneration or directly or indirectly exert influence on a student or student's family, in order to encourage participation in the open enrollment program for the purpose of having the student participate in varsity athletic activities.

The district reserves the right for the Superintendent to determine the class schedule for students who are accepted under this policy.

The Superintendent or business manager will notify the parent or guardian and the resident school district of the acceptance or rejection of an application within five (5) days of the date on which action was taken.

The district will not be responsible for transportation of resident students who have enrolled in other districts through the open enrollment process or for students from other districts admitted through open enrollment.

Cross Ref: Policy ABCB/FBD Admission of Non-resident Students

Policy AACE/FBBD Education of the Homeless

Legal Ref: NDCC Ch. 15.1-31, Open Enrollment

End of Policy ABCBB.....Amended: 10/20/09

## **PLACEMENT, PROMOTION, RETENTION AND ACCELERATION OF STUDENTS**

Placement, promotion, retention, and acceleration shall be made in the best interests of the student after a careful evaluation of all the factors relating to the advantages and disadvantages of alternatives. The educational program shall provide for the continuous progress of children from grade to grade. A student's achievement of the skills for the grade to which he is assigned and his readiness for work at the next grade level shall be required before he is assigned to the higher grade.

In evaluating student achievement, each teacher shall make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, standardized-test results, and teacher observation of student performance. Whenever retention is being considered, the teacher shall confer with the principal and other staff members involved with the child. The parents shall be invited to a meeting with the teacher, principal, and other staff members as early as possible. Discussion shall consist of an explanation to the parents of their child's current academic standing and individual ability. The final decision whether or not to retain a student shall be made by the principal after consultation with the parents and the Superintendent.

Similarly, acceleration or double promotion will be used only after consultation with all staff members involved with the child and with the parents. The principal shall make the final decision.

Every effort shall be made to identify special needs and talents of children early in their school careers so appropriate placements can be made.

Cross Ref: Policy FC, Attendance

Legal Ref: NDCC 15.1-09-33, School board - Powers

NDCC 15.1-14-01, School district superintendent – Duties

End of Policy

FBE.....Adopted: 10/20/09

## **ASSESSING STUDENT ACHIEVEMENT**

The Board recognizes that a system of assessing student achievement can help students, teachers, and parents to better assess a student's progress toward educational goals.

Assessment shall be the system of measuring and recording student progress and achievement that enables the student, parents, and teachers to learn the student's strengths and weaknesses, plan an educational and vocational future for the student in areas of the greatest potential for success, and know where remedial work is required.

Assessment shall measure the student's programs against both his/her own potential for achievement and the achievements of others in the class, as appropriate to the grade level and subject matter.

The Board directs that the district's instructional program shall include a system of assessing all students which is consistent with the goals of the district and state and federal law and regulation.

The Superintendent shall develop and implement procedures to assess student progress that include various methods of assessment. These may include standardized tests, student portfolios, examinations developed by teachers, and such other measures as deemed appropriate.

End of Policy FBEC.....Adopted: 10/20/09

## GRADUATION

Graduation from the schools of the district implies that students have satisfactorily completed the prescribed courses of study for the several grade levels in accordance with their respective abilities to achieve and that they have satisfactorily passed any examinations and other requirements set by the School Board and the faculty. In addition, students shall have maintained a satisfactory record of citizenship during their progression through the instructional program of the schools.

The requirements for graduation shall be established in keeping with the North Dakota law.

For 2010 graduates all students, regardless of program, must earn 22 credits for graduation, including the following: English, 4; social studies, 3; science, 2; mathematics, 2; physical education, 1; electives--one of which must be in an academic area--10; and a passing grade in Driver's Education. It is understood that some students will be involved in special and adaptive programs, successful completion of which will result in graduation.

Effective July 1, 2010 all students, regardless of program, must earn 22 credits for graduation, including the following: 4 credits in English which include Literature, Composition and Speech; 3 credits in social studies including: 1 in United States History, ½ United States Government and ½ Economics or 1 Problems of Democracy, 1 of any other social studies which may include Civics, Civilization, Geography and History, Multicultural Studies, North Dakota Studies, Psychology, Sociology or World History; 3 credits in science including 1 physical science, 1 biology; 3 credits in mathematics; 1 credit of physical education or ½ credit physical education and ½ credit health; 3 credits Foreign Language, Native American Languages, Fine Arts or Career and Technical Education courses. 5 credits in electives and a passing grade in Driver's Education. It is understood that some students will be involved in special and adaptive programs, successful completion of which will result in graduation.

For students who plan to further their academic studies following graduation from high school, the following units of study are recommended as additions to or specification of the required units:

1. Mathematics--three units recommended, one unit in algebra, one unit in geometry, and one credit in Algebra II.
2. Natural sciences--three units including at least two of the three areas of biology, chemistry, and physics.
3. Foreign language--two units is recommended by the Board of Higher Education.

Legal Ref: NDCC 15.1-21-02, High school - Required units

NDCC 15.1-21-03, High school unit - Instructional time

NDCC 15.1-21-04, Minimum high schools courses - Alternative curriculum plans

Department of Public Instruction Regulations

End of Policy FBF.....Amended:

10/20/09

## **STUDENTS EDUCATED IN HOME SCHOOLS**

The Glen Ullin Public School acknowledges the right of a parent to provide their own child's education in a home-based setting. The Superintendent will accept as correct the information on the statement of intent filed with the district in accordance with North Dakota Century Code.

Students who are being home-educated are eligible to participate in individual classes within the Glen Ullin Public School's curriculum and in all extracurricular activities on the same basis as students who are enrolled in the Glen Ullin Public Schools.

The parent of any student seeking to transfer from home-education to the Glen Ullin Public Schools will provide the district with all records concerning the courses taken by the child and the child's academic progress assessments that the parent has maintained according to law. These records, along with those of the standardized achievement tests that have been filed with the district, will be considered in placing the child in appropriate classes. Students who arrive without transcripts or other educational records which would indicate proper placement will be given standardized tests in the basic skills areas within 3 weeks of enrollment to facilitate proper placement.

Students thought to be individuals with disabilities as defined by 20 U.S.C. 1413, Section 504, and/or North Dakota law will be referred for testing and will receive an assessment within 30 days of the time the child was referred.

Evaluation resources used to determine grade placement or high school course credit will be the current achievement test and competency test for each required subject. Parental documentation of goals and objectives for each course grades 7-12 must be submitted. For instance, a senior transferring to Glen Ullin Public Schools from a home-school will be placed and receive course credit according to the principal's recommendation, after the student has taken a subject area competency and achievement tests. Results of the competency tests will be weighed against the results of the achievement tests and class averages for both. The principal in consultation with the Superintendent will then place the student and/or accept courses needed for graduation. A minimum course selection will be English, Math, Social Science, and Science (for the appropriate grade). Students eligible for a high school diploma must meet the minimum number of credits for graduation as required by Glen Ullin Public Schools.

No certificates or diplomas will be awarded to home-educated students by the Glen Ullin Public Schools, unless the student is enrolled full time for a minimum of one semester immediately preceding graduation as well as completing all the requirements to be eligible for a diploma from Glen Ullin High School. Honor Roll and class rank status will be determined by the grades received on the subject area competency tests and subjects taken at Glen Ullin Public School.

Cross Ref: Policy LABA, Alternative Education

Legal Ref: NDCC 15.1-20-02, Compulsory attendance - Exceptions

NDCC 15.1-20-04, Home education - Definitions

NDCC Ch. 15.1-23, Home Education

End of Policy FBFC.....Adopted: 10/20/09



## **ATTENDANCE**

The School Board recognizes regular attendance as necessary to achieve consistent educational progress. Classroom learning experiences are a meaningful and essential part of the educational system. Time lost from class is irretrievable, particularly a student's opportunity for interaction and exchange of ideas with teachers. The absent student loses the benefits of lectures, discussions, and participation with other students. In addition, North Dakota state law requires all children between the ages of 7 and 16 to be in attendance every day school is in session, with exceptions for illness and certain other incapacities. The law also provides local school boards with the authority to establish standards for attendance. This school district, therefore, considers encouragement of consistent and timely attendance a major responsibility. Once enrolled every student regardless of age is subject to the district's attendance policy.

Students are expected to be in the class(es) to which they are assigned on every school day except in the case of illness or injury, school related activity, family emergency or religious observance. It is the responsibility of the school administration to monitor student attendance and communicate with students and their parents when attendance patterns do not meet district standards. It is the parents' responsibility to ensure that their children are in school unless a valid reason for absence exists and to notify the school when their child will be absent. A student 18 years or older or a married student, upon request to the Superintendent, may assume responsibility for the verification of absences from school.

### **ABSENCES:**

#### **1. Excused Absences:**

- a. Any absence in which the parent/guardian gives approval for the absence. The parent must be aware of the student's absence.

#### **2. Unexcused Absences:**

- a. Absences in which there is no parental approval or knowledge of the absences. Students will make up double time for time missed.
- b. Leaving the building/school grounds without prior permission. Students will make up double time for time missed.

3. Leaving the school building during any part of the school day, (8:30 a.m. - 3:15 p.m.) needs to be prior arranged with the principal or superintendent. This prior arrangement will necessitate a phone call or a written excuse from the parent indicating reason for student to leave the building during school hours. If leaving the school during the noon break and not returning for P.M. classes, prior

approval must also be granted. Failure to adhere to this guideline will result in an unexcused absence and students will make up double time for time missed.

This criteria will be used to establish Glen Ullin Public School's official attendance register and the information that will be recorded on the child's report card.

School work missed by the student during an absence shall be made up regardless of the reason for the absence. Family trips should be scheduled, when possible, during the summer or other non-school days. Should it be deemed necessary for a student to be absent from school due to a family trips arrangements should be made by the student to complete, in advance, as much as possible of the school work that would be missed. Additional effort to make up work may be necessary upon the student's return.

To be considered for grade promotion or the granting of credit in a class, a student shall have accumulated no more than 20 unexcused absences. (This standard is to be prorated to apply to semester and quarter classes: 10 days for a semester class and 5 days for a quarter class.)

Suspension will not count as an unexcused absence for purposes of determining the number of unexcused absences to be considered for credit.

Cross Ref: Policy FBE/GCA Placement, Promotion, Retention, Acceleration

Legal Ref: NDCC 15.1-09-33, School board - Powers

NDCC 15.1-19-09, Students - Suspension and expulsion - Rules

NDCC Ch. 15.1-20, School Attendance

NDCC 15.1-21-03, High school unit - Instructional time

NDCC 15.1-21-04, Minimum High school courses - Alternative curriculum plan

NDCC Ch. 15.1-23, Home Education

End of Policy FC.....Amended: 10/20/09

## **ILLNESSES**

Children often become ill in school. When it becomes necessary to send a child home, the parents shall be notified and asked to pick up the child. The school will require the phone number where the parent can be reached during the day, and the name and phone number of a person or persons to be called in case of an emergency, should the parent(s) not be available when the child becomes ill. Illnesses of unusual nature are to be reported to the local medical authorities. All contagious or infectious diseases should be reported to the local medical authorities.

Legal Ref: NDCC 23-07-15, Child having contagious or infectious disease prohibited  
from attending school

End of Policy

FCA.....Amended: 10/20/09

## **SIGNIFICANT CONTAGIOUS DISEASES**

### **EDUCATION**

#### **STUDENTS**

The intent of the instructional program on significant contagious diseases is to provide information about the diseases, methods of transmission, the means of protecting against contracting the diseases in an institutional setting, the use of universal precautions, and prevention appropriate to specified grade levels. Instruction will begin in Grade K and continue through Grade 12.

Appropriate curriculum will be designed including a scope and sequence to assure that all students receive age-appropriate education integrated in the health curriculum. The Superintendent is charged with recommending revisions in the program to the School Board to update and modify the curriculum as new information about significant contagious diseases is made available. Any curriculum and materials developed for use in this program will be approved for medical accuracy by the Department of Public Instruction and/or the State Department of Health according to the guidelines furnished by the Center for Disease Control.

Prior to the start of the student instructional program, and at any time thereafter, parents and guardians of students who will be involved with the curriculum and materials will have an opportunity to preview the curriculum and materials in a specific program being presented. Thereafter, any parent or guardian may review the curriculum and materials at any time including any revisions in the program to update and modify the curriculum as new information about significant contagious diseases is made public.

#### **EMPLOYEES**

On an annual basis, all employees of the school district will receive appropriate training which addresses significant contagious disease prevention. The training will be presented by a health professional or someone specifically qualified in education for the prevention of significant contagious diseases. Training will include the proper use of universal precautions.

Those employees designated to teach significant contagious disease prevention to students will receive additional inservice from qualified health education professionals.

#### **INDEPENDENT CONTRACTORS**

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JBFBB

All independent contractors performing services for the district will receive a brochure concerning significant contagious diseases upon entering into a contract with the district. The brochure shall contain information regarding the transmission of significant contagious diseases in an institutional setting, the means of protecting against contracting the diseases in an institutional setting, and the use of universal precautions.

#### **CONFIDENTIALITY**

No employee or official of the Glen Ullin School District may inform any individual of an affected individual's infection. No employee or official may release any information to the public either confirming or denying the presence within the institution setting of a person who has contracted a significant contagious disease. All information given to employees or officials of the district by an affected person, their parent or guardian, or their personal physician shall remain confidential.

#### **ATTENDANCE, EMPLOYMENT AND CONTRACTS**

No person may be denied admission as a student, a contract as an independent contractor, or employment solely because they have, or they are perceived to have, a significant contagious disease. The personal physician of the affected individual shall be the sole decisionmaker as to whether the individual constitutes a public health threat or the ability of the individual to continue in school (except as provided below) or perform their duties.

When a student's personal physician or, in the case of a student who is defined as having a disability under the Individuals with Disabilities Education Act or NDCC Chapter 15.1-32, the multidisciplinary team determines that the student is unable to participate in regular classroom instruction, either reasonable accommodations, special provisions, or an individualized education program will be provided. The Superintendent shall establish procedures for the development of special provisions.

#### **UNIVERSAL PRECAUTIONS**

The Glen Ullin School District will use universal precautions as standard procedure in the care and maintenance of school property and in administering first aid or otherwise handling emergencies.

#### **DESIGNATION OF SPOKESPERSON**

The Superintendent is designated as the person to receive information concerning the status of students, employees, and independent contractors from their physicians. The Superintendent shall be the official spokesperson for the

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institution when information concerning an affected individual becomes public and may not delegate this duty. The Superintendent shall develop procedures that protect against possible breaches of confidentiality. The Superintendent may request assistance from the Department of Public Instruction or State Department of Health in developing a plan for conflict resolution.

### **DISCRIMINATION**

It shall be a violation of school policy for any student, employee or official to harass or discriminate against any affected individual within the institutional setting on the basis of having been diagnosed as having a significant contagious disease(s). No harassment or discrimination will be tolerated in any school building, at any school function, or on any school property.

### **DEFINITIONS**

1. "Affected person," "affected individual," or "affected student" means an individual who has been diagnosed by a physician as having contracted a significant contagious disease.
2. "Decisionmaker" is the affected person's personal physician. However, whenever an affected student is also defined as having a disability under the Individuals with Disabilities Education Act, 20 U.S.C. 1401(a)(1) or the North Dakota Century Code Chapter 15.1-32, the decisionmaker is the multidisciplinary team provided for under subsection 4 of North Dakota Century Code section 15.1-20-02
3. "Employee" means all persons employed by the institution including faculty, maintenance, and administrative personnel.
4. "Governing body" means the school board.
5. "Independent contractor" means any person or entity who is free of control or direction over performance of the service provided both under the contract and in fact, who renders service outside the ordinary course of business or outside of the place of business of the contractor and who is engaged in an independently established trade, organization, profession, or business.
6. "Individualized education program" denotes a specialized education plan created in compliance with 20 U.S.C. 1401(a)(19).
7. "Institution" means this school district.
8. "Reasonable accommodations" is as defined by subsection 16 of North Dakota Century Code section 14-02.4-02 or U.S.C. 794.
9. "Significant contagious disease" includes cytomegalovirus (CMV), hepatitis B (HBV) and human immunodeficiency (HIV) infection. The local board of health or the state health officer may determine that other diseases are significant contagious diseases.
10. "Special provisions" are individually tailored education decisions designed to meet the needs of students requiring unique accommodations to ensure

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an educational opportunity. Special provisions are directed to students not covered by an individualized education program.

11. "Universal precautions" means protecting one's self from exposure to blood or body fluids, through the use of latex gloves, masks, or eye goggles, cleaning blood and body fluid spills with soap and water and then disinfecting and incinerating or decontaminating infective waste before disposing in a sanitary landfill.

Cross Ref: Policy DAI/K, General Public Relations

Policy DBB, Recruitment and Selection of Instructional Staff

Policy DCB, Recruitment and Hiring

Policy FBBB/GBEI, Education of Exceptional Students

Policy GBEBD, Teaching about Aids

Policy HFAA, Selecting Provider of Professional Services

Policy IC, Transportation

Policy LEE, Relations with Health Department

Legal Ref: 20 U.S.C. 1413, Individual with Disabilities Education Act

USC 29, Section 794, Americans with Disabilities Act

USC 29, Section 504, Rehabilitation Act of 1973

NDCC 14-02.4, Discrimination

NDCC Ch. 15.1-15, Contract of Teachers and Administrators

NDCC 15.1-20-02, Compulsory attendance - Exemptions

NDCC Ch. 15.1-32, Special Education

NDCC 23-07-16, Child having contagious or infectious disease prohibited from attending school - Exception

NDCC 23-07-16.1, School district to adopt policy relating to significant contagious diseases

End of Policy

DAHB.....Amended: 10/20/09

## **SANITARY CLEANUP AND DISPOSAL**

Hygienic procedures should be practiced by all school personnel when disposing of human secretions and excretions including blood, feces, semen, urine and vomit since they may contain infectious agents capable of spreading disease.

The steps listed below should be followed in all such cleanup situations since carriers of infectious or contagious diseases are often undetected. The procedures are not intended to replace basic common sense principles of health and hygiene.

1. Wear disposable gloves when cleaning up blood. Gloves may be used for aesthetic reasons when cleaning up other spills. Individuals should use gloves when handling all body fluids.
2. Sprinkle the spill with absorbent chlorine powder as soon as possible.
3. Wipe up the spill with disposable paper towels or rags or with a scoop and brush.
4. Clean the surface with a cleaning agent appropriate for the surface to be cleaned.
5. Spray the surface with a hospital grade disinfectant labeled "tuberculocidal."
6. If assisting a person with a bloody nose or wound, have him/her apply the barrier if possible. If direct assistance is necessary, disposable gloves should be worn and the blood should be removed with disposable paper towels, gauze or rags. The exposed skin should be cleaned with an appropriate antiseptic and a leakproof dressing applied if appropriate.
7. Scoops or implements to be reused should be washed and sprayed with disinfectant. After use, the cleansing materials, gloves, and soiled diapers should be secured in plastic bags and disposed of in a specifically designated sanitary disposal site.
8. When changing diapers, disposable gloves will be used. After use, the cleansing materials, gloves, and soiled diapers will be secured in plastic bags, tied and disposed of in a sanitary disposal site.
9. Soiled clothing or personal items will be bagged and sent home with the child, not cleaned or rinsed at the school.



10. Using the following procedures, wash hands immediately after completing the cleaning and disinfecting process.

a. Wet hands and apply antiseptic soap.

b. Rub hands together vigorously for at least 15-30 seconds, paying particular attention to finger tips, nails and jewelry.

End of Policy DAHBA.....Amended: 10/20/09

## **HEAD LICE (PEDICULOSES)**

Cooperation of the entire community is essential for the control of head lice (Pediculosis).

The Glen Ullin School District will seek the assistance of Public Health personnel and other community health resources to develop an effective organized program which includes:

1. Training program for school personnel, parents, and volunteers in the detection of head lice.
2. Routine screening.
3. Recommended treatment.
4. Appropriate preventive measures.
5. Education efforts.

School personnel will follow the recommendation of the North Dakota State Department of Health regarding control of the school environment to prevent the spread of head lice. At least two members of the school staff shall be trained to inspect and reinspect students for lice and nits. Public health personnel and trained volunteers may also be used as needed and available.

Custodial personnel will be trained in the proper cleaning procedures to prevent reinfestation or the spread of infestation.

Routine screening will be done prior to or on the first day of school in the fall and the first day of school following Christmas vacation, or any time deemed necessary by the committee. Each new child enrolling during the school year will be screened on the first day of attendance.

When a case of head lice is identified all classmates, siblings in school, and all children riding the same bus or car pool will be examined. If a substantial number of children appear to be infested, all students in the school will be examined.

When lice or nits (eggs) are detected, the student's parent/guardian shall be contacted immediately and the student shall be sent home as soon as practicable with an informational letter and instructions for treatment. The student will be re-examined upon return and will not be readmitted until free of both lice and nits.

If a case of head lice is discovered in a particular classroom, the school will inform all the parents of those children by letter sent home with each child.

These children will be required to bring a garbage bag to school and place their outer garments inside the bag until known cases are resolved.

Parents should be encouraged to report cases, if discovered in the home, in order to prevent a possible outbreak in the school.

It is the policy of this district to report infestations of head lice to public health. Public health personnel may be asked to assist families with inspection and treatment.

Legal Ref: NDCC 23-07-16, Child having contagious or infectious disease prohibited from attending school

NDCC 23-07-16.1, School district to adopt policy relating to significant contagious diseases

End of Policy FCAAC.....Amended: 10/20/09

## **RELEASED TIME FOR RELIGIOUS INSTRUCTION**

The Board is consistent in its effort to provide the best possible educational opportunities for all students of the district while at the same time recognizing that the parent may exercise, within reason, the prerogative of selecting an experience for the child which is deemed by the parent to be of additional educational value to the child. In taking this position, the Board places the responsibility for education of the child both upon the school district to provide such instruction as provided for under the state constitution and enacted by the legislature, and the parent for additional external experiences which are selected at the discretion of the parent.

Released time for religious instruction shall be allowed only in conformity to the North Dakota state law. Such released time shall not exceed one hour per week, and shall require a written request from the parent or guardian of the student.

Legal Ref: NDCC 15.1-19-04, Religious instruction - Excuse of student

End of Policy FCC.....Amended: 10/20/09

## **MAKE-UP WORK**

From time to time, students are absent from class for a variety of reasons. In the case of unanticipated absence such as illness, emergency, etc., staff members are expected to provide special assistance to the student upon return to minimize the effects of the absence.

Absence from school can never actually be "made up." Teachers generally attempt to make available information and materials which have been covered during the period of the absence. Teachers should remember that materials or work should be assigned only when they are pertinent and important to the student for understanding future materials.

When a student's intent to be absent is known ahead of time, instructors are urged to provide tentative assignments of material to be covered prior to the student's departure. Anticipated absences are generally of two types: School approved activities which require that the student be absent for some period of time, and parent requests to have the student excused. In either case, students should be informed as to the probable work to be covered and given assignments in advance, if possible.

When the school administration has given approval for students to participate in such activities as music programs, drama, athletics, etc., students should not be penalized for not being present to take tests and participate in the daily work. They should be given an opportunity to make up work missed.

When school approved absences affect a number of students, it is recommended that major tests or other activities be scheduled with a minimum of inconvenience to the affected students. Parent initiated requests require no alteration in planning on the part of the teacher.

Cross Ref: Policy FC, Attendance

End of Policy

FCF.....Amended: 10/20/09

## **STUDENT EDUCATION RECORDS**

Student records are an essential part of the educational process. A cumulative record shall be kept on all students from grade one through twelfth grade. This is a highly private record to be used only by the professional staff immediately concerned with the student's education. It shall also be made available to the student and his/her parents or guardians.

These student records may contain, but are not limited to: identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, and verified reports of serious or recurrent behavior patterns.

The Superintendent shall implement procedures to comply with this policy, the Family Educations Rights and Privacy Act of 1974 (FERPA), the Individuals with Disabilities Education Act (IDEA), the No Child Left Behind act of 2001, and implementing regulations.

The principals shall be responsible for record maintenance and access within his or her building. All student records when not in use shall be kept under lock and key.

### Review

Parents, legal guardians, an students of legal age (18 years or older) have the right to inspect and review the education records of the student. Requests to inspect and review shall be made to the principals and the principal shall make an appointment within a reasonable time. Any requests to examine a student's records by a parent or legal guardian of a minor student or by a student of legal age shall be honored. Requests by agents, when accompanied by written authorization from the parent, legal guardian, or student of legal age shall also be honored. The principals shall be present when the record is inspected and reviewed. Nothing in the record may be destroyed or removed while there is a pending request to review the record.

Parents, legal guardians, or students of legal age (18 or older), may request amendment to educational records inaccurate, misleading, or otherwise in violation of the privacy or other rights of students. FERPA does not require the district to consider a request to change the grade a teacher assigns for a course.

The file shall contain a list of all requests for information and all completed forms involving requests, authorizations, or permissions to view educational records,

unless exempted by law. With the exemption of school officials and the parent/guardian or eligible student, each person viewing the file shall sign and date the form provided for that purpose

### Dissemination

The school shall not permit access to or release of student records to any individual, agency or organization without the written consent of the parent or guardian or the student if 18 years or older except as specifically provided by law. Disciplinary action taken against a student may be disclosed when the misbehavior poses a significant risk to the student or others.

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his/her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

When a student enrolls or intends to enroll in another school, the district will forward a copy of the educational records to the new school without prior approval. Disciplinary records involving suspension and/or expulsion from school will be included

The district will maintain directory information that will include name, address, phone number, e-mail, pictures, date of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, previous schools attended, and name of parents. The district will also publish an honor roll. For purposes of this policy, listing on the honor roll will be considered an award. The parent or legal guardian of a student has the right to refuse to permit the designation of any or all of the above categories as directory information with respect to that student.

Release of student directory information applies equally to military recruiters, the media, colleges and universities, and prospective employers, unless parent/guardian or eligible student consent is denied.

### Notification

The principals/ Superintendent shall insure that parents and legal guardians are notified of their rights under FERPA, and when appropriate IDEA, at the beginning of each year and at the time of enrollment for students that enter during the year. The notice shall include the categories the district considers directory information and a procedure and deadline for refusing permission.

Additionally, the district will notify parents annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use.

### Destruction

Three (3) years after graduation or three years after the termination of provision of educational services to the student, all but the Permanent Record Folder may be destroyed. The Permanent Record Card shall contain only name, address and phone number, the student's record of grades, achievement results, courses attended, grade completed, immunization record, driver education certificate, and list of extra-curricular activities. The Permanent Record Card shall be retained in perpetuity.

Any records obtained from the juvenile court will be destroyed, pursuant to state statute, when the student reaches 18 years of age.

The District shall notify the parents of children in special education when personally identifiable information collected, maintained, or used by the District are no longer needed to provide educational services to the child. The contents of a student's Special Educational Services Record except for a permanent record of the student's name, address, phone number his or her grades, attendance record, classes attended, grade level completed, and year completed, shall be destroyed when the information is no longer needed to provide educational services to the child if the parents request destruction. If the parents do not request destruction, the Director of Special Education shall determine on a case by case basis whether to retain the entire record, taking into consideration the protection against improper and unauthorized disclosure and the child's potential need for the records, such as social security benefits.

Cross Ref: Policy KAIA, School Directory

Legal Ref: 20 U.S.C. 1232 g, Family Educational Rights and Privacy Act

34 CFR 99, Regulations

20 U.S.C. 1413, Individuals with Disabilities Education Act

PL 107-110, No Child Left Behind Act of 2001

NDCC 15.1-19-14, School law enforcement time

NDCC 15.1-19-15, Record retention

NDCC 27-20-51, Inspection of court files and records

End of Policy

FDA.....Amended: 10/20/09



## **COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION**

### PROCEDURE TO INSPECT EDUCATION RECORDS

The parent or guardian of a student or an eligible student may inspect the student's education records upon request. The request should be made to the principal in writing. The principal will contact the parent/guardian or eligible student to arrange a time and place to view the record. The appointment should be made within a reasonable time, and in no circumstance later than 45 days. The principal will be present during the review.

Copies of records will be made available without charge to parent/guardians or eligible students only as required by FERPA:

1. When refusal to provide copies effectively denies access to the records by a parent/guardian or eligible student.
2. At the request of the parent/guardian or eligible student when the district has provided the records to third parties by the prior consent of the parent/guardian or eligible student.
3. At the request of the parent/guardian or eligible student when the district has forwarded the records to another school where the student seeks or intends to enroll.

The district reserves the right to charge for all other copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or admission purposes, and copies forwarded to third parties with prior consent or those provided to parents as a convenience. Fees will be for actual copying cost plus postage, if incurred.

### PROCEDURE TO SEEK TO CORRECT EDUCATION RECORDS

The parent/guardian of a student or a student of legal age has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. The request for change should be made to the principal.

If the principal refuses to amend the record, parents/guardians, or eligible student shall have the right to request a hearing to challenge the content of the record, and the principal shall inform them of this right, which includes the right to representation at their own expense. The request for a hearing should be made to the Superintendent. The Superintendent shall set a time and place. The hearing shall be held within a reasonable time after the request has been received. At the hearing, the Superintendent shall have present the person(s)

who entered the information in question. The person who requested the hearing shall have the right to ask questions of those present and to present evidence that would correct inaccurate, misleading, or otherwise inappropriate information. The Superintendent shall then determine whether the information in question shall be removed from the record and give a written decision within a reasonable time after the hearing. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. If the information is amended or removed, the Superintendent shall inform the parent/guardian or eligible student in writing. If the information in question is not removed or amended, the Superintendent shall inform the parent/guardian or eligible student in writing that they may place a statement in the record that shall be retained as long as the information in question is retained and the school must disclose the statement whenever the information in question is disclosed. If the Superintendent has a direct interest in the outcome of the hearing, another hearing officer should be assigned.

### ANNUAL NOTIFICATION

Within the first three week of each school year, the district shall give written notice to all parents/guardians of students enrolled and to eligible students of their rights under FERPA and this policy. The notice will also be included with a packet of material provided parents/guardians or an eligible student when the student enrolls during the year.

The notice will include a statement that the parent/guardian or eligible student has a right to:

1. Inspect and review the student's education records.
2. A specification of the intent of the school district to limit the disclosure of personally identifiable information contained in a student's education records:
  - a. By prior written consent of the student's parent/guardian or the eligible student.
  - b. As directory information.
  - c. Under certain limited circumstances, as permitted by FERPA and the No child Left Behind Act.
3. Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
4. File a complaint with the U.S. Department of Education alleging failure of the district to comply with FERPA and its regulations.
5. Obtain copies of this policy and the locations where copies may be obtained.

The policy applicable to the release of student directory information applies equally to military recruiters, the media, colleges and universities, and prospective employers, unless parent/guardian or eligible student consent is denied.

The district shall arrange to provide translations of this notice to non-English speaking parents/guardians or eligible students in their native language.

### DISSEMINATION OF RECORDS

A student of legal age or the parent or legal guardian of a minor student shall have access to a student's records at any time during the school day upon reasonable notice to the principal. Absent a court order to the contrary, divorced parents of a student shall have equal access to their child's educational records.

Student records shall be made available to an outside person or agency only under the following conditions:

1. A "Release of Information" request is received by school officials duly signed by a parent or legal guardian of the student or by a student of legal age (18 years or older).
2. A "Request for Information" is received by school officials in the form of specific request from the court, a court order, or a subpoena duces tecum. Only information requested shall be provided and the parents and/or students shall be notified of all such orders in advance of compliance with the order.
3. A "Request for Transcript" is received by school officials from a receiving school. Only information such as grades, attendance records, and group test scores should be included. Disciplinary records involving suspensions and/or expulsions may be included. Psychological reports and health reports cannot be released without having been specified in the signed "Release of Information" request as per #1 above. Transcripts may also be sent to prospective employers at the request of the student or parents.
4. In instances where requests for information might come from an outside agency such as the Veterans Administration, working for the welfare of a student, the agency will file a release from the student (if of legal age) or parent or guardian. In lieu of such a release, a form signed by a judge (not necessarily in the form of a subpoena) would suffice, provided the parent/guardian or student of legal age is notified that such a form has been received.
5. In instances where requests for information come from the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency or State educational authorities in connection with the audit and evaluation of federal programs or for the enforcement of federal legal requirements which relate to such

programs, only that data which does not include information (including social security numbers) which would permit the personal identification of such students or their parents shall be released. The only exception shall be when the collections of personally identifiable data is specifically authorized by federal law.

6. Personally identifiable information in the student's records may be released to the Attorney General of the United States or his/her designee in response to an "ex parte" order issued in connection with the investigation or prosecution of terrorism crimes. The district, in response to such an order, is not required to record a disclosure of information.
  
7. Information from student records may be released to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons. The factors to be considered in determining whether information may be disclosed include the seriousness of the threat to the health or safety of the student or other individuals, the need for the information to meet the emergency, whether the parties to whom the information is disclosed are in a position to deal with the emergency, and the extent to which time is of essence in dealing with the emergency.

End of Regulation FDA-R.....Approved: 10/20/09

## **ADMINISTERING MEDICINES TO STUDENTS**

The giving of aspirin/tylenol at school is not approved without the prior consent of a parent or legal guardian. Other over-the-counter medication may be administered only with written consent of the parent or legal guardian. Students who must depend on receiving prescription medication during school hours for medical reasons must have a written order from a physician, dentist, or other legally designated health care professional giving specific directions for taking the medication. Such written order may be the prescription label on the original pharmacy labeled container.

Any medication which is so ordered to be administered at school may only be given using procedures developed by the administration and approved by the board.

Cross Ref: Policy FFC, Accidents

Policy FHCF, Drug Usage

Policy IBDA, First Aid/Accidents

Legal Ref: 20 U.S.C. 1232 g, Family Educational Rights and Privacy Act

45 CFR Part 99. Regulations

NDCC 15.1-24-04, Treatment or assistant records – Confidential

End of Policy FEAA.....Amended: 10/20/09

## **PROCEDURES FOR ADMINISTERING MEDICATION IN THE SCHOOL**

A. Any medication that is ordered for administration at school should be given using the following procedures:

1. The medication sent or brought to the school must be accompanied by a signed request/consent from the parent or legal guardian. This consent must grant permission for school personnel to administer the medication.

2. The following information must be included on the ORIGINAL PHARMACY LABELED-CONTAINER:

- a. The student's name.
- b. Amount of dosage.
- c. Time of administration.
- d. Name and strength of medication and route (i.e., oral, eye drops, ear drops', nebulizer).
- e. The instructions for administration.
- f. Special care, such as refrigeration.
- g. Name of physician or other legally designated health care professional.

3. Major side effects of the medication should be listed on the information accompanying the medication. Generally, the pharmacist will provide this information.

4. Medication for emergency use. In emergency cases, such as acute allergic reactions, the school personnel shall promptly notify emergency medical personnel and the parent(s) or legal guardian.

- a. If medication is for known acute allergic reactions, such as a bee sting kit, then it may be administered by the school nurse or a person trained by a physician, dentist, nurse or other legally designated health care professional upon written consent from a parent or legal guardian.

- b. Personnel who have been trained according to rules established by the local board of health may administer epinephrine (Epi Pen) without written consent. (NDCC 23-01-05.2)

In many communities, the emergency number is 911; the emergency number for the community in which the school is located shall be included in the school's policy and procedures.

5. All labeled medications shall be kept in a secure, locked, clean container or cabinet to protect the safety of the student receiving the medication and other students. The administrator of the school shall determine who within the school will be given the responsibility to check in and administer the medication.

6. The administrator shall establish a check-in procedure for medication brought to the school. This procedure shall include: recording the date the medication was deposited, ensuring that parent request/consent is on file, and notifying the person who has been designated to administer the medication. (*See Form Request/Consent for Medication Administration*)

7. It is recommended that no more than one month's supply of any medication be brought to school at one time and that it is the parent or guardian's responsibility to replenish the medication supply if necessary.

8. A separate record for each student shall be kept of the administration of the medication, noting date, time, and signature of the person administering it. All such records are confidential and are separate from the student's education records. (NDCC 15.1-24-04)

Be sure the following criteria are followed each time medication is administered:

- a. Right student
- b. Right medication
- c. Right dosage
- d. Right route
- e. Right time

9. Administration of prescribed medication during school hours will be noted on the designated form for each student that includes: student name, medication, dosage, route, time/frequency, signature of person administering the medication, and a place for other information to be recorded, such as any observed reaction to the medication or possible side effects. When this medication regime is completed or the form is filled, it is to be placed in the student's medical treatment record. (*See Form Documentation for Medication Administration*)

10. Medications must be picked up by the parent(s) or legal guardian at the end of each school year or when the medication is no longer needed by the student or when the student withdraws from school. If parent or guardian does not pick up medications by the end of the school year, the school will consult with the pharmacy that filled the medication or the local health department for proper disposal of the medication.

11. A new pharmacy label/container must accompany any new prescription order, change in prescription, or refill. A parent request/consent must be on file for any new prescription or change in prescription. Parent request/consent must be current for each medication.

B. Personnel Responsible for Administering the Medication.

1. All personnel should be familiar with the policy and procedures for administering medication in the school.
2. All personnel having responsibility for supervising students shall be given adequate information about the student, including related medical problems, if any; suspected allergies; emergency contact persons; etc.; and shall be informed of anticipated circumstances for which school personnel may need to be in touch with out-of-school personnel, (e.g. medical personnel, other agencies, etc.)
3. A list of personnel within the school building who are responsible for administering the medication should be kept on file. Personnel on the list must receive instruction about the administration of medication and a specific review of instructions for a given student's medication needs.

C. Other Safeguards or Circumstances

1. Even when students are determined to be capable of independently administering their own medication, the student will be required to deposit the medication in the designated area. However, there may be exceptions that will be documented in the student's school record.
2. ALL PERSONNEL must be informed of proper procedures in emergencies and of circumstances in which they are expected to directly call the emergency medical assistance number.
3. When students require extensive medical and health related observations while in school or if medical-health related equipment or appliances must be monitored while the student is in school, ADDITIONAL PROCEDURES WILL NEED TO BE ESTABLISHED.

End of Regulation FEAA-R.....Amended: 10/20/09



## **STUDENT ASSISTANCE PROGRAM**

The Glen Ullin School District will provide a Student Assistance Program for students who are experiencing physical or emotional problems that are producing a negative effect on the student's performance in school. The purpose of the program is to assist students in obtaining help to resolve such problems in an effective and confidential manner. This program recognizes that the primary obligation to seek assistance and to resolve the problem rests with the student and his/her parent or guardian.

The Board recognizes that a wide range of problems that are not directly associated with the school may have an effect on the student's performance in school. The problems may involve physical illness, mental or emotional illness, alcohol abuse or alcoholism, drug abuse or dependency, or family problems such as divorce, separation, financial difficulties, job loss or illness or death of a family member or close friend.

The Student Assistance Program assures students that if such personal problems are the cause of unsatisfactory behavior or performance they will receive careful consideration and an offer of assistance in an effective and confidential manner. This service will provide information for counseling and treatment referral so that students may seek and get counseling on chemical dependency, physical or emotional problems, or other personal problems at any time without fear of reprisal and with assurance of the confidentiality of the counseling. Confidentiality will be maintained so long as state or federal law does not require disclosure to parent or guardian. Providing information for referral or treatment when needed should be a constructive and not a punitive action.

### Program Goal

1. To assist students who have problems that may affect their school performance by providing confidential, prompt, and diversified assistance to help resolve individual and/or family problems.
2. To motivate students to seek help at an early stage and get confidential assistance through qualified professional referrals. The goal, then is to restore productivity through early identification of problems and to maintain a school atmosphere conducive to learning.

### Program Objectives

1. To provide a confidential, flexible, competent, and sensitive program of assistance to meet the needs of troubled students on an individual basis.

2. To provide students with accurate information regarding known referral sources.
3. To provide inservice training for teachers that will focus on the teacher's role in relation to troubled students.

The Superintendent is instructed to develop procedures and regulations that will achieve the goals and objectives of this policy.

Teachers and administrators will implement this policy in such a manner that no student will have his or her school career adversely affected by the use of the Student Assistance Program. This policy, and any related procedures will not alter or supersede the normal application of disciplinary or due process procedures.

District expenditures, in addition to the personnel costs associated with operating the program, will be limited to the cost of the initial screening for any referral of a student. The district will not hire any additional personnel to operate this program, but will use existing counselors and administrators.

Cross Ref: Policy FHCF, Drug Use/Abuse  
Legal Ref: NDCC Ch. 15.1-24, Chemical Abuse Prevention  
End of Policy

FEF.....Adopted: 10/20/09

Descriptor Code: FFB

## **EMERGENCY DRILLS**

The Superintendent shall prescribe rules governing fire, tornado, and disaster emergency drills according to law.

Legal Ref: NDCC 15.1-06-12, Emergency and disaster drills – Implementation

End of Policy

FFB.....Adopted: 10/20/09

## **EMERGENCY AND DISASTER PLANS**

In recognizing the responsibility for the safety of its employees and students, the Board adopts the following policy in regard to fire and bomb threats or other disasters:  
It is imperative that students, staff, and the public be protected in case of emergency and that the educational process of the school be carried out with the least amount of disruption.

The Superintendent shall develop and maintain district emergency plans for fire and bomb threats, tornado and other natural disasters, nuclear attacks or other possible disasters. These plans will be coordinated with the local police, fire, and hospital authorities as necessary.

The plans will call for the complete evacuation of all school buildings during fires or because of bomb threats. The plans will also designate specific emergency drills to be conducted.

Common sense should dictate the reaction of school personnel to emergency situations.

End of Policy

FFBA.....Adopted: 10/20/09

## EMERGENCY CLOSINGS

The Superintendent is empowered to close the district schools or to dismiss them early in the event of hazardous weather, epidemic or other emergencies which threaten the health or safety of students and personnel. Such action is never to be taken lightly, for public education is one of the principal functions of the community and should be maintained at a normal level except in extreme circumstances. When this regularity of operation ceases, serious difficulties are caused and the welfare of children may be jeopardized. Schools may not properly be closed merely to avoid inconvenience. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the administration has the responsibility to see that as much of the administrative, supervisory, and operational activity is continued as may be possible. Therefore if conditions affect only a single school, only that school shall be closed.

In making the decision to close schools, the Superintendent or his or her designee shall consider many factors, including the following principal ones relating to the fundamental concern for the safety and health of children:

1. Weather conditions, both existing and predicted.
2. Driving, traffic, and parking conditions, affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition which would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent shall weigh these factors and shall take action to close the schools only after consultation with traffic and weather authorities, local principals, or school officials from neighboring districts. Students, parents, and staff shall be informed early in each school year of the procedures which will be used to notify them in case of emergency closing. When schools are closed for emergency reasons, staff members shall comply with board policy in reporting for work.

Cross Ref: Policy FHCE/IBCB, Vandalism  
Policy IBCA, Access to Buildings

End of Policy

FFBB.....Adopted: 10/20/09

## **ACCIDENTS**

All accidents that occur on school property or during school activities should be reported to the principal's office as soon as possible.

In the event a child is injured in school, first aid will be administered by the teacher, principal or school nurse. If the accident is of a serious nature, the parent(s) will be called immediately. If the school is unable to contact the parent(s), a doctor and/or ambulance will be called or a school official will transport the student to a medical facility.

The supervising teacher will complete school accident forms supplied by the office.

Cross Ref: Policy IBDA, First Aid/Accidents  
Policy ICBA, School Bus Accidents

End of Policy

FFC.....Adopted: 10/20/09

## **AUTOMOBILE USE**

Each school will provide adequate parking for staff and visitors. Driving on school roads and parking school property is a courtesy offered to students and others by the Board. All motorized vehicles such as cars, trucks, and the like, when on school property shall only use such streets or parking areas as shall have been provided for such purposes. Students will be restricted to parking in designated student parking lots.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking, including regulating driving and parking. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Motorcycles, motor bikes, motor scooters, and similar vehicles when used as actual necessary transportation to school or to school events shall use only such streets and parking areas as shall have been provided for vehicular use. Any use other than actual necessary transportation is prohibited on all school property. Should the use of such vehicles on school property create a safety hazard or disturbance by misuses of excessive noise, the school administration may limit or prohibit any or all such use on school property.

The use of snowmobiles on school property is prohibited. The use of vehicles commonly purchased for recreational use (including without limitation, all terrain vehicles; Barbie® cars; toy jeeps, monster trucks, tractors, and backhoes), regardless of size, shall not be permitted on school property. The Board strictly prohibits the use of rollerblades, skateboards, or other similar objects anywhere on district property, whether indoors or outside (with the exception of the skate park). The administration shall cause appropriate signs to be posted.

It is understood that all vehicles used on school property shall observe all requirements relative to safety and noise control as may have been set by law or by school regulations. The administration shall establish rules and regulations to assure traffic safety. The District shall not assume any responsibility for damage to cars or for theft. Horses will not be permitted on playfields since they create ruts in the ground and can cause injuries to students using play areas.

This policy is based upon considerations for safety, noise control, and possible school district liability.

The Board will work with the City Policy Department and other appropriate city and/or county agencies in an effort to provide the best possible safety coverage for students leaving and entering school grounds.

Legal Ref: State v. D.T.W., 425 So. 2d, 383 (Fla. App. 1983)  
Horton v. Goose Creek, 690 F 2d 470

End of Policy

FFD.....Amended: 10/20/09



## **CHILD ABUSE AND NEGLECT**

Any school teacher, administrator, or school counselor having knowledge of or reasonable cause to suspect that a child coming before that person in that person's official or professional capacity is abused or neglected shall report the circumstances to the children and family services division of the Department of Human Services Board of North Dakota.

"Abused child" means an individual under the age of eighteen years who is suffering from serious physical harm or traumatic abuse caused by other than accidental means by a person responsible for the child's health or welfare, or who is suffering from or was subjected to any act involving that individual in violation of sections 12.1-20-01 through 12.1-20-08 of the criminal provisions of the North Dakota Century Code.

"Harm" means negative changes in a child's health which occur when the parent or other person responsible for his health:

- a. Inflicts or allows to be inflicted, upon the child, physical or mental injury, including injuries sustained as a result of excessive corporal punishment; or
- b. Commits, allows to be committed, or conspires to commit against the child a sex offense as defined in chapter 12.1-20 of the North Dakota Century Code.

"Neglected child" means a deprived child. "Deprived child" means a child who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, or morals, and the deprivation is not due primarily to the lack of financial means of the child's parents or guardian.

1. Any teacher, principal, school counselor, or social worker who has knowledge or reasonable cause to suspect child abuse or neglect will report this to the Area Human Services Center immediately. In addition, any staff member having reasonable cause to suspect that a child is abused may report such fact to the Area Human Service Center. Teachers and counselors are requested to advise the building principal and the Special Services Department of their action.
2. The report of child abuse or neglect can be made orally; however, a written report must follow within 48 hours.
3. Written reports should be made on the appropriate form that is available from the building principal.
4. Written reports should be made in duplicate. The original will be sent to the Area Social Service Center, and the copy will be filed in the Superintendent's office.

5. The school counselor's "privileged communication" with a counselee shall not prevent that counselor from reporting child abuse or neglect.
6. Any person who willfully fails to report a case of known or suspected child abuse, or permits or encourages the unauthorized disclosure of reports made or confidential information obtained under the provisions of the law, is guilty of a class B misdemeanor.

Legal Ref: NDCC 27-20-02, Uniform Juvenile Court Act - Definitions

NDCC 31-01-06.1, Counselors shall be immune from disclosing information given by pupils

NDCC 50-25.1-02, Child Abuse and Neglect Act - Definitions

NDCC 50-25.1-03. Persons required and permitted to report - To whom reported

NDCC 50-25.1-04, Child Abuse - Method of reporting

NDCC 50-25.1-10, Child Abuse - Abrogation of privileged communication

NDCC 50-25.1-13, Child Abuse - Penalty for failure to report

NDCC 50-25.1-14, Child Abuse - Unauthorized disclosure of reports - Penalty

End of Policy FFE.....Amended: 10/20/09

## **INTERVIEW OF STUDENTS BY OFFICIALS OF OTHER AGENCIES**

Normally, no interview with a child will be granted during the school day or on school grounds unless the parent or guardian of the child has been contacted and has given permission. At the request of the parent/guardian, a member of the staff will be present at the interview.

An exception to the requirement for parental notification and presence of parent or school staff exists when an alleged case of child abuse or neglect is being investigated. In this event the investigator is requested to confirm that the interview is for the purpose of investigating a report of suspected child abuse or neglect.

The Superintendent shall not disclose any information shared for the purpose of securing the interview to anyone, including the child's parents.

*NOTE: Investigations by police officers investigating matters other than suspected child abuse or neglect are governed by the provisions of Policy FHBA and do not include any waiver of the requirement that parents be promptly notified and be allowed to be present at the conference.*

Legal Ref: NDCC Ch. 50-25.1, Child Abuse and Neglect Act

Attorney General's Opinion #84-37: Interview without parental consent -  
Suspected child abuse

End of Policy FFEB.....Amended: 10/20/09

## **ANIMALS IN THE CLASSROOM OR ON SCHOOL PROPERTY**

The Glen Ullin School Board recognizes that there are medical and physical dangers associated with animals, both wild and domesticated, in the classroom and/or on school property. The Board also recognizes that under proper conditions, animals can be an effective teaching aid. The following guidelines are adopted regarding all animals (mammals, birds, reptiles/amphibians, fish, insects,) in the classroom or on school property.

- All requests to have animals in the classroom or on school property must be submitted to the principal in writing. Included in the request should be a description of the activity, type of animal, educational purpose/benefit, length of activity, and a plan for the care of the animal. The principal has the discretion to permit or deny the presence of animals.
- Parents/guardians must be notified in writing prior to any activity involving animals.
- Students and teachers with allergies must receive special consideration before animals are brought into the classroom. Prior to any exposure to animals in school, the teacher should be aware of any condition such as allergies which could be exacerbated by exposure to animals. Appropriate and reasonable accommodations will be accorded to protect the health of such individuals.

All requests to take field trips involving animals must be submitted to the principal in writing. In determining whether to grant the request, the principal shall be guided by the district policy on field trips and shall also take into consideration any known allergies among the students and the possible side effects of the planned exposure to animals.

- No domesticated mammals, including dogs, cats, primates, or livestock, shall be allowed in schools unless proof of appropriate and/or current rabies vaccination is provided.
- No wild animals (e.g., skunks, raccoons, badgers, lynx, bobcats, bats, ground hogs, monkeys, coyotes, or fox) shall be allowed unless under the control of an individual trained in the care and management of the animals (e.g., zookeepers, trainer/lyceum program personnel, veterinarians, etc.).
- All animals brought for exhibit must be restrained by the owner/handler.
- No poisonous animals are allowed unless brought in cages/containers that prevent contact with students and faculty.

- Each teacher is responsible for the proper supervision and control of students under his/her direction whenever there is an exhibit or activity involving animals in the school.
- Animals will be allowed to be housed in classrooms only for a specified and appropriate educational purpose or class experiment as need to achieve the educational goal.
- It is the responsibility of the teacher to provide a plan of care for classroom-housed animals including care on weekends and during emergency closure. In each school where the animals are housed, there should be a plan whereby the staff member who visits the school daily during the emergency closing will be aware of the animal's presence and see to their care. If no staff member visits the school daily in such circumstances, the teacher is responsible for the daily care of the animal(s). No animals shall be housed at school unless the teacher involved is familiar with the appropriate care, feeding, and handling of the animals. All waste products must be cleaned from cages on a daily basis by an adult such as a teacher, assistant, volunteer, etc. Cages will not be cleaned by students and students will not have direct contact with animal waste products.
- Each teacher is responsible for the proper control of animals brought to the classroom for instructional purposes, including the effective protection of students. This includes keeping the animals in appropriate cages or containers for the protection of the animal and individuals.
- No animals will be allowed free range in the facility. Animals that are on the playground or on school property must be leashed and under the control of an adult. When any animal that is not under such control is found on the school property the proper authorities will be contacted to have the animal removed.
- Supervised handwashing for a minimum of 20 seconds with soap and water will be conducted by students after handling animals. Handwashing will be conducted immediately after the activity has ended and prior to any further school or classroom activity. Eating/drinking will not be allowed during the animal exhibition or during activities involving animals.
- The principal and parent/guardian must be notified as soon as possible if an individual is bitten by an animal or any incident occurs which could have an adverse effect on physical or emotional health. The supervising teacher will complete a written report describing the incident.

End of Policy

FFG.....Amended: 10/20/09

## **CRISIS/DISASTER PREPAREDNESS**

The School Board recognizes that crisis situations are inevitable in any organization. Examples of a crisis could include criminal acts, disease epidemic, physical injury or death, presence of intruders on school premises, national security alert, or natural disasters. While the very unexpected nature of a crisis prohibits explicit planning, the Board believes that staff should be prepared to respond quickly and appropriately.

The Superintendent is directed to establish procedures for crisis preparedness and crisis management. This shall include research into appropriate and effective training; establishment of emergency response teams, both district-wide and within each building; consultation and cooperation with community agencies, such as police, youth authorities, fire department, and health authorities; and publication of emergency procedures for such situations as can be imagined.

The plan shall be reviewed and updated annually. Following any crisis incident, the Board and administration shall review the effectiveness of the response.

End of Policy

FFH.....Adopted: 10/20/09

## **SCHOLARSHIPS AND AWARDS TO STUDENTS**

All honors and awards presented to the students by the schools shall serve as an incentive to enrichment of their school program and stimulation to their level of thinking and living.

The professional staff will arrange for appropriate awards and recognition programs. In addition, the Board will strive to be aware of exceptional performances on the part of students, and recognize them with appropriate commendations.

Cross Ref: Policy GCAD. Class Rank  
Policy HCE/KAJ, Gifts and Bequests

End of Policy

FGC.....Adopted: 10/20/09

## INTERVIEWS BY POLICE

When there is a need for a police officer to interview a student, the officer is to be requested to confer with the student at a time when he/she is not under the jurisdiction of the school, if this can be arranged. However, when it is impractical, the officer may confer with the student during school hours, provided that the following conditions are met:

1. The officer is properly identified.
2. Permission from a school official is given.
3. Parents are notified immediately, if possible.
4. Student(s) are removed from the classroom by school personnel only, to guard against other students knowing about the matter.
5. The student's parent or guardian should be present during the conference. When this is not possible, permission to interview may be granted only if the Superintendent determines that it is necessary for the child to be interviewed immediately and only in the presence of a school administrator.
6. The students will be afforded the same rights they have outside of the school. When they are suspected of having committed an unlawful act they must be informed of their constitutional rights by the police. They must not be subjected to coercion or illegal restraint.
7. When police officers are acting on behalf of the Department of Human Services in the investigation of a report of child abuse, Policy **FFEB/FHBB shall apply**.

### Police Officer's Rights with Regard to Students

1. **Right to Question Students in School:** Police officers have no absolute right to enter the school premises and demand to interview any student. A spirit of cooperation should be extended to any bona fide police or law enforcement official who comes to a school seeking to interview students.
2. **Right to Remove Students from School:** Police officers have no right to remove a student from the school for purposes of interview, and this should not be allowed in the absence of the specific consent of parent or guardian. Police officers, counselors of the juvenile court, or other authorized law enforcement officials have an absolute right to enter the school to take a student into custody or to make a lawful arrest of a student. However, the officer should be made to display either an order signed by a judge of the juvenile court



authorizing the taking of the student into custody, or to display a warrant for the student's arrest. If the student is arrested and/or taken into custody at a school, the school officials should make every effort to notify the parents immediately.

**3. Right to Serve Subpoena in School:** Police officers have a legal right to enter schools to serve subpoenas.

Cooperation with Law Enforcement Agencies

While police officers have the legal right to serve a subpoena at school, the serving officials should be strongly urged to serve these subpoenas at the home of the student whenever possible.

In all of these situations, efforts should be made to minimize embarrassment or loss of class time for the student.

The office of the Superintendent should be notified immediately when any of the above-mentioned actions has occurred.

Cross Ref: Policy FFEA/FHBB, Interviews by Other Agencies

Legal Ref: NDCC 15-29-08(2)(9), General powers and duties of school board

In Interest of D. S., 263 N.W.2d 114 (N.D. 1978)

N.D. Att'y General Op. 112, 1984

N.D. Att'y General Letter, May 31, 1988, Spaeth

End of Policy

FHBA.....Amended: 10/20/09

## SEARCHES OF LOCKERS

Provision for temporary storage and safety of students' personal possessions ordinarily used in their day-to-day school activities will be made in certain school buildings by such devices as lockers. These lockers may not be used to conceal weapons and/or illegal substances.

Ownership and control of all lockers is retained by the school district. Access to all lockers under certain conditions is a legal right of school officials whose responsibility it is to protect the health, safety, and welfare of all students enrolled.

When the school principal has a reasonable suspicion that one or more lockers may contain objects or substances in violation of school rules or which may be detrimental to the health, safety, or welfare of all students enrolled, the principal may initiate a search of those lockers. The principal should make a reasonable effort to contact the student and ask the student to open the locker. The principal should then inspect the locker in the presence of the student.

If the student cannot be located, if the student refuses to open the locker, or if an emergency is deemed to exist, the principal may open and inspect the student's locker. In such a case, the principal should be accompanied by at least one other adult person. In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, person, or possessions, a search warrant is necessary.

Dogs may be used in the search of a student's locker. When the dog handler is a police officer, the officer shall be accompanied by a school official and shall not take part in the search once the dog has alerted unless a search warrant has been obtained.

The Superintendent should be notified whenever a search has been conducted.

Cross Ref: Policy FHCF, Alcohol and Other Drug Use/Abuse

Legal Ref: U. S. Constitution, Amendment IV

Civil Rights Act of 1871, 42 U.S.C. § 1983 (1981)

State v. Engerud, 94 N.J. 331, 463 A. 2d 934 (1983)

Zamora v. Pomeroy, 639 F.2d 662 (10th Cir. 1981)

Picha v. Wielgos, 410 F. Supp. 1214 (N.D. Ill. 1976)

Jones v. Latexo ISD, 499 F. Supp. 223 (E.D. Tex. 1980)

Cormier v. Hardin-Jefferson ISD, Comm. of Ed. Dec. (1981)

End of Policy FHBC.....Amended: 10/20/09

## SEARCHES OF STUDENTS

A search of a student's personal property or clothing should only be undertaken when there is a reasonable suspicion that the student is concealing an object(s) or substance(s) in violation of school rules or which may be detrimental to the health, safety, or welfare of all students enrolled.

Because state and federal law and school policy prohibited certain articles and substances from being carried by students on school grounds, all personal property of students including but not limited to duffle bags, backpacks, bookbags, and purses shall be subject to inspection at the discretion of the principal. When the principal has reason to believe that one or more students are carrying contraband, those students shall be asked to allow a search of their possessions. They may also be asked to empty their pockets. Such search should be conducted in private by a school employee of the same sex as the student with a school employee present as a witness and only with the permission of the principal. Strip searches shall not be conducted.

In the event a police officer or other law enforcement officer is to conduct a search of a student's locker, person, or possessions, a search warrant is necessary.

The Superintendent and parent/guardian should be notified whenever a search has been conducted.

Legal Ref: U. S. Constitution Amendment I  
Doe v. Renfrow, 475 F. Supp. 1012 (N.D. Ind. 1979)  
Doe v. Renfrow, 631 F.2d 91 (7th Cir. 1980)  
M.M. v. Anker, 607 F.2d 488 (2d Cir. 1979)  
Picha v. Wielgos, 410 F. Supp. 1214 (N.D. Ill. 1976)  
Jones v. Latexo ISD, 499 F. Supp. 223 (E.D. Tex. 1980)  
Cormier v. Hardin-Jefferson ISD, Comm. of Ed. Dec. (1981)

End of Policy FHBD.....Amended: 10/20/09

## **STUDENT CONDUCT**

It is the intention of the Glen Ullin School Board that the learning environment shall be safe, drug free, and conducive to learning.

The Board believes inappropriate student conduct causes material and substantial disruption to the school environment, interferes with the rights of others, or presents a threat to the health and safety of students, employees, and visitors on school premises. Appropriate classroom behavior allows teachers to communicate more effectively with students.

Students will conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on District property or on property within the jurisdiction of the district; while on school owned, operated, and/or chartered vehicles; while attending or engaged in school activities; and while away from the school grounds if misconduct will directly affect the good order, efficient management and welfare of the district. Consequences for the misconduct will be fair and developmentally appropriate in light of the circumstances.

Students in our schools are expected to act in such fashion that their behavior will reflect favorably on the individual student and on the school, will show consideration for fellow students, and will create a harmonious school atmosphere. To accomplish this, all students must recognize their individual responsibilities and obligations and discharge them in accordance with the school regulations.

Attention is specifically called to behavior on school buses, at lockers, in the lavatories, in the gymnasium, in the corridors, in the cafeteria, in the area outside the school, in the library, in school offices, and of course, in the classrooms.

Students may exercise their right to freedom of expression through speech, assembly, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material which tends to be vulgar or slanderous, or to defame character, or to advocate violation of federal, state, or local laws, or official school policies, rules, and regulations.

The rights and limits of students respecting freedom of speech, press, and assembly shall be in accord with the First Amendment of the United States Constitution.

In each instance in which an employee acts to help students conduct themselves properly, emphasis shall be placed upon the growth of students in ability to discipline themselves.

The authority of schools extends beyond the building to the school grounds and to all places where school-sponsored activities are held, including athletic contests and such other activities as have a direct and immediate effect either on school discipline or on the general safety and welfare of students and staff.

Students shall have the right to receive annually at the opening of school, a publication listing the rules and regulations to which they are subject. Students have the responsibility to know and respect the rules and regulations of the school.

Legal Ref: PL 107-110, No Child Left Behind Act of 2001  
Bethel School Dist. #403 v. Fraser, 106 S. Ct. 3159 (1986)

End of Policy FHC.....Amended: 10/20/09

**STUDENT HANDBOOKS**

The administration shall publish and annually revise a handbook containing information about the district and about the individual schools and the rules and regulations with which students are expected to conform. The handbook shall be distributed to each family each year. The handbook will include a form for parents to sign and return indicating that the information in the handbook has been received and read by the student and the parents. The Superintendent will maintain a file of returned forms.

End of Policy

FHCA.....Adopted: 10/20/09

## **BUS CONDUCT**

The disciplinary authority of the school shall exist over all students while being transported to and from the schools, and the driver of the bus shall be charged with their control and discipline while they are being transported. The responsibility for supervision begins when the student boards the bus and ends when the student is delivered to the regular bus stop at the close of the school day.

The Board requires students to conduct themselves in the bus in a manner consistent with established standards for classroom behavior and student safety. The administration shall establish specific rules in keeping with this policy and shall take steps to ensure that all bus drivers as well as student riders understand the safety issues involved.

When a student behaves improperly on a bus, the bus driver shall document the incidents and report them to the principal or Superintendent. The principal or Superintendent will inform the parents immediately of the misconduct and request their cooperation in correcting the student's behavior. Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended indefinitely by the principal or Superintendent. This suspension of riding privileges shall not exceed the balance of the school year. In such cases, the parents of the student involved become responsible for seeing that their student gets to and from school safely.

All students being transported by school transportation to and from any school activity during the winter months shall be properly dressed to protect them from the extreme weather conditions. This precaution is necessary so that the student will be prepared for any mishaps that might occur which expose them to inclement weather. Proper clothing includes protective head covering, winter coat or jacket, mittens or gloves, and foot gear.

This policy shall extend to any trip under school sponsorship, including extracurricular trips. Students shall respect the wishes and directives of staff and chaperones appointed by the school.

Legal Ref: NDCC 15.I-30-13, Transportation of students - Control and discipline

End of Policy FHCB.....Amended: 10/20/09

**VANDALISM**

Because incidents of willful or malicious abuse, destruction, defacing, and theft of property of the school district are clearly contrary to the best interests of the school district and injurious to the rights and welfare of the entire community, it will be the policy of the Board to seek all legal redress against persons found to have committed such acts.

Books, materials, and equipment supplied by the district for the pupils must receive reasonable care. Students wantonly defacing school furniture or damaging school property or losing books charged to their care will be fined an amount sufficient to restore the damaged article to original condition or replace it.

Disciplinary action will be taken when students are involved. Full restitution for the damage caused will be sought from the responsible persons, or in the case of minors, from the minors and their parents, under the laws of this state.

The Board may offer a reward as authorized by North Dakota law to any person furnishing information leading to the apprehension and conviction of any person(s) appropriating or destroying property or equipment belonging to the school district. The Board may also accept private donations to establish a reward fund to encourage the furnishing of such information.

Legal Ref: NDCC 15.1-09-41, School board authority - Reward for destruction of school property  
NDCC 32-03-09.2, Liability for willful damages to property  
NDCC 32-03-39, Parental responsibility for minor children - Recovery limitations

End of Policy FHCE.....Amended: 10/20/09



## **DRUG USE/ABUSE**

The school has a clear responsibility to maintain an atmosphere which will promote a quality learning environment. It is the intention of the Glen Ullin School Board that the learning environment be safe, drug free, and conducive to learning. Because the use of drugs, alcohol, and other chemicals among young people has become a major problem in our country and because the use and availability of these substances on school campuses interfere with the educational process, this policy is being adopted and implemented. The policy is designed to help eradicate the influence of drugs, alcohol, and other chemicals within the school environment. As such it is designed to promote chemical health and protect students in the school environment by imposing consequences for violation of standards of conduct by educating students to, deter and prevent the use or abuse of chemicals. It is also designed to serve as a guide for faculty and staff in implementing intervention procedures for students.

### Education

This district will teach about drugs and alcohol in an age appropriate developmentally based education and prevention program in every grade K-12. This program will include information about drug and alcohol counseling and rehabilitation programs available to the students. The district will also conduct staff orientation and continued training, and provide parent and community education. This will be done in cooperation with a community Chemical Health Committee. This education program will also include providing an information service for referral to counseling and/or treatment so that students may seek and get counseling on alcohol and drug matters any time without fear of reprisal and with assurance of the confidentiality of the counseling. Referral for treatment when needed should be a constructive and not a punitive action. We recognize that chemical addiction is a treatable disease.

### Standard of Conduct and Disciplinary Sanctions

#### Prohibited Activities

The use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. It is the responsibility of the school to establish rules that will eliminate such use from the school setting. Therefore it shall be against school policy for any student to:

1. Sell, deliver, or give, or attempt to sell, deliver, or give to any person any of the substances listed in this policy or what the student represents or believes to be any of the substances listed in this policy.

2. Possess, procure, purchase, or receive, or to attempt to possess, procure, purchase or receive, the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy. A student will be determined to be "in possession" when the substance is on the student's person or in the student's locker, car or handbag, or when he/she owns it completely or partially.
3. Be under the influence of (legal intoxication not required), or to use or consume or attempt to use or consume, the substances listed in this policy or what is represented by or to the student to be any of the substances listed in this policy or what the student believes is any of the substances in this policy.

This policy applies to any student who is on school property, who is in attendance at school or at a school sponsored activity or whose conduct at any time or in any place interferes with or obstructs the missions or operations of the school district or the safety or welfare of students or employees.

#### Prohibited Substances:

1. Alcohol or any alcoholic beverage.
2. Any controlled substance or dangerous drug as defined by NDCC Sections 19-03.1-05 through 19-03.1-13 and 19-03.1-26 (paraphernalia) or as defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801, et seq., including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, any depressant, any form of tobacco, and all other illicit drugs.
3. Any abusable glue or aerosol paint or any other chemical substance, for inhalation, including but not limited to, lighter fluid, white out, and reproduction fluid.
4. Any prescription or non-prescription drug, medicine, vitamin or other chemical including, but not limited to aspirin, other pain relievers, stimulants, diet pills, multiple or other type vitamins, pep pills, "no-doze" pills, cough medicines and syrups, cold medicines, laxatives, stomach or digestive remedies, depressants, sports or muscle-building supplements, and sleeping pills not taken in accordance with the authorized use policy.
5. Any and all tobacco products, including but not limited to cigarettes, cigars, snuff, and chewing tobacco.

#### Authorized Use

Any student whose parent or guardian requests that he or she be given any prescription or non-prescription medicine, drug, or vitamin shall follow the procedures of Policy FEAA--Administering Medicine to Students, which requires a prior permission signed by the parent for aspirin and/or tylenol and the signed

request of the parent for any other over-the counter medication, and the signed request of the physician and parent for any prescription medication.

### Violation

Disciplinary sanctions will be imposed on any student violating this policy. These sanctions may include suspension or expulsion and notification of proper authorities for prosecution. Prohibited substances will be confiscated and illegal substances will be turned over to law enforcement authorities. The student may be referred to the Superintendent.

Any student who is observed to be under the influence of a prohibited substance will be taken immediately to the principal's or Superintendent's office. The student's parents will be notified and asked to pick up the student. If there appears to be imminent danger to other students, school personnel, and/or the student involved, the principal or Superintendent may have the student removed from the school by school, medical, or law enforcement personnel.

### Intervention

We also recognize the responsibility to assist students in recognizing their own addiction. It is realized that the public school has neither the authority nor the responsibility to make medical or health determinations regarding chemical dependency. However, when observed behavior indicates that a problem exists which may affect the student's ability to learn or the educational climate of the school, the school has a right and a responsibility to refer the student for a formal chemical dependency diagnosis. To this end the Glen Ullin School District encourages faculty members to be observant of student behavior and to participate in a program of intervention. Faculty members may use the attached check list to determine whether observed behavior should be reported. If the faculty member decides that the behavior indicates a possible prohibited activity, the student should be reported to the principal or Superintendent.

If the counselor, principal, or Superintendent believes that the student indeed is in need of assistance, the counselor, principal, or Superintendent may call the student in for a conference. The counselor, principal, or Superintendent may receive assistance in how to confront students from a certified addiction counselor.

If, after conferring with the student, the counselor, principal, or Superintendent believes that there is a probability that the student may be experiencing a drug or alcohol problem, the student and/or the student's parent(s)/guardian will be told that it is necessary that the student receive a formal chemical dependency diagnosis.

The school will make a reasonable effort to cooperate with a therapy program if one is recommended for the student.

The School Board of Glen Ullin School District believes that if a student is involved in a chemical dependency program and is successfully addressing his/her harmful involvement with chemicals, he/she may continue in the regular school setting and continue to participate in any extracurricular program unless participation is in conflict with rules and regulations set forth by the Glen Ullin School Board and the North Dakota High School Activities Association.

The school may, through the use of available resources, provide follow-up counseling and supportive assistance to those students who return after successfully completing a therapeutic regimen, realizing that the student may need assistance in dealing with other environmental factors beyond the school's control which may remain unchanged. A student can expect that any personal problem he/she discusses with an administrator, faculty member, social worker, Core Team Member or counselor will be strictly confidential. There are four exceptions:

1. Whenever a staff member learns of a condition which may adversely affect another student, he/she will have to act on that information.
2. If a student is experiencing health and/or emotional problems because of controlled substance use or abuse and is unable or unwilling to seek assistance, then referral should be made. Confidentiality will be maintained subject to the welfare of the student.
3. If a staff member has reasonable cause to suspect child abuse, the staff member must report to the Children and Family Services Division of the Department of Human Services.
4. If a staff member is called to testify in a judicial proceeding.

#### Policy Implementation

A copy of this policy will be given annually to each student. In addition, student handbooks will be used to inform students that the use of alcohol and other drugs is wrong and harmful and is not permissible. Students, employees, and parents will be given a copy of the standards of conduct and the statement of sanctions required concerning the possession, use or distribution of illicit drugs and alcohol. Compliance with these standards of conduct is mandatory. The handbook will include a form for parents to sign and return indicating that the information in the handbook has been received and read by the student and the parents. The principal or Superintendent will maintain a file of returned forms.

The Superintendent or designee will annually conduct inservice training sessions for all school district employees, which will include a review of this policy and procedures for

implementation thereof. In the event an employee is unable to attend such inservice training sessions, the Superintendent or designee will cause this policy to be individually reviewed with such employee.

The Superintendent will maintain a list of all employees with whom this policy has been reviewed, whether individually or through inservice training, along with the dates of such review or training.

The Glen Ullin School District will review this policy and its implementation annually to ensure that disciplinary sanctions are consistently applied and to determine the effectiveness of the program for the prevention of alcohol and other drug use/abuse. Minutes of the school board meeting at which this review takes place shall document the review.

Cross Ref: Policy DADE/FHCFA/KAFC/KAHA, Tobacco Use in the Schools

Policy FEF, Student Assistance Program

Policy FFD/IBCB/KAHAA, Automobile Use

Policy FFE, Reporting Child Abuse and Neglect

Policy FHBC, Searches of Lockers

Policy FHDA, Suspension and Expulsion

Legal Ref: PL 101-647, Drug-Free Schools and Communities Act of 1986

PL 103-227, Goals 2000: Educate America Act (Pro-Children Act of 1994)

34 CFR Part 86, Regulations

PL 107-110, No Child Left Behind Act of 2001

NDCC 14-10-17, Minors - Treatment for sexually transmitted disease - Drug abuse - Alcoholism

NDCC Ch. 15.1-24, Chemical Abuse Prevention

NDCC 15.1-20-02, Compulsory attendance - Exceptions

NDCC 15.1-21-01, Education of students - Requirements

NDCC Ch. 19-03.1, Uniform Controlled Substance Act - Prohibited Acts - Paraphernalia/Possession

NDCC 31-01-06.1, School counselors shall be immune from disclosing information given by pupils

NDCC 31-01-06.3, Addiction counselors shall be immune from disclosing information given by pupils

NDCC 50-25.1-03, Persons required and permitted to report - To whom reported

End of Policy FHCF.....Amended:  
10/21/03

## TOBACCO USE IN THE SCHOOLS

Smoking and use of tobacco product is prohibited on all school property and in school-owned vehicles 24 hours per day, 365 days per year. The use of tobacco and/or tobacco products by students, all school personnel, patrons and visitors is strictly prohibited at all times. This also includes other organizations that use the school property for events/activities.

**Students:** Smoking or possession of tobacco products by students, regardless of age, is prohibited on school property and at all school functions. The principals/Superintendent are responsible for administering appropriate discipline that may include suspension and/or recommendation for expulsion from school.

All individuals on school premises share in the responsibility for adhering to and enforcing this policy. Any individual who observes a violation on school property may report this violation to a supervisor, principal, or Superintendent.

The principals/Superintendent shall develop regulations for the enforcement and implementation of this policy including educational and informational programs to assist students, school personnel, and the public to understand, accept, and cooperate with this policy.

### **Tobacco Policy--Definitions:**

For purposes of this policy, "tobacco" is defined to include any lit or unlit cigarette, cigar, pipe, blunt, bidi, clove cigarette, and any other tobacco product, and spit tobacco, also known as smokeless tobacco, dip, chew, and snuff, in any form.

For purposes of this policy, "tobacco use" includes smoking, which means carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off smoke, and chewing spit tobacco, also known as smokeless tobacco, dip, chew, and snuff in any form. The term use means the chewing, lighting, smoking and any other usage of any tobacco product.

Legal Ref: 20 U.S.C. 6081 et seq., Pro-Children Act of 1994  
PL 103-227, Goals 2000: Educate America Act (Pro-Children Act of 1994)  
NDCC 12.1-31-03, Sale of tobacco to minors and use by minors prohibited  
NDCC 23-12-09, Smoking in places of public assembly - Definitions  
NDCC 23-12-10, Designation of smoking areas  
NDCC 23-12-10.1, Responsibility of proprietors  
NDCC 23-12-10.2, Complaints and enforcement  
NDCC 23-12-11, Penalty

End of Glen Ullin Policy DADE.....Amended: 10/20/09

## **CARRYING WEAPONS**

It is the intention of the Glen Ullin Public School Board that the learning environment be safe, drug free, and conducive to learning. The Board determines that possession and/or use of a weapon or other dangerous object by a student is detrimental to the welfare and safety of the students and school personnel within the district.

No student will knowingly possess, handle, carry, or transmit any weapon, look alike weapon, or dangerous object or look-alikes in any school building, on school grounds, in any school vehicle or at any school-sponsored activity. Such weapons include but are not limited to any knife, razor, ice pick, explosive smoke bomb, incendiary device, gun (including pellet gun), slingshot, bludgeon, brass knuckles or artificial knuckles of any kind, or any object that can reasonably be considered a weapon dangerous instrument, or look-alike.

Violation of this policy will result in disciplinary action up to and including suspension and expulsion. Parents will be notified and all weapons, dangerous objects, and look-alikes will be confiscated and may be turned over to the student's parents or to law enforcement officials at the discretion of the administration.

Educational classes held in the school facility, before or after normal school hours, are permissible if permission is granted by the principal or Superintendent prior to this educational training for youth and adults. All weapons must be removed from the school premises after each educational class.

Bringing a firearm, as defined in 18 U.S.C. 921, to any setting that is under control and supervision of the school will require that proceedings for the expulsion of the student involved for a minimum of one calendar year be initiated immediately by the principal or Superintendent. Firearms will be confiscated and turned over to law enforcement.

The Superintendent may recommend a modification of the expulsion on a case by case basis. This modification shall be based on the circumstances revealed in the investigation into the incident conducted by the Superintendent or other person designated by the Superintendent to conduct the investigation. Alternate education may be provided for students who are expelled under this section.

Proper due process proceedings as defined in Policy FHDA (Suspension and Expulsion) will be observed in all suspensions and expulsions under this policy.

This policy does not apply to students enrolled and participating in a school-sponsored shooting sport, provided that the student informs the school principal

of the student's participation, and the student complies with all requirements set by the principal regarding the safe handling and storage of the firearm.

The principal may allow authorized persons to display weapons, other dangerous objects, or look-alikes for educational purposes. Such displays will be exempt from this policy.

It is the responsibility of the Superintendent to develop administrative regulations regarding this policy.

A student who is defined as having a disability under the Individuals with Disabilities Education Act may be placed in an alternative educational setting for up to 45 calendar days, during which time a determination will be made as to whether bringing a weapon as defined by IDEA Regulations 300.520(d)(3) to school was a manifestation of the student's disability. Discipline and placement of the student will be in accordance with the Individuals with Disabilities Education Act.

Cross Ref: Policy FHBC, Searches of Lockers

Policy FHBD, Searches of Students

Policy FHDA, Suspension and Expulsion

Legal Ref: PL 103-227, Goals 2000: Educate America Act, Title X, Section 1032

PL 107-110, No Child Left Behind Act of 2001

1973 Rehabilitation Act, Section 504

45 CFR Part 84, Regulations

20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act

42 U.S.C. 12183(b), Americans With Disabilities Act

18 U.S.C. 921, Definitions

NDCC Ch. 14-02.4, Discrimination

NDCC 15.1-09-33, School board - Powers

NDCC 15.1-19-09, Students - Suspension and expulsion - Rules

NDCC 15.1-19-10, Possession of a weapon - Policy - Expulsion from school

Tinker v. Des Moines 393 U.S. 503 (1969) Honig v. Doe

End of Policy FHCG.....Amended: 10/20/09



## **BULLYING**

Bullying of any type has no place in the school setting. The Glen Ullin School District will endeavor to maintain a learning and working environment free of bullying.

Bullying is defined as the act of one or more individuals intimidating one or more individuals either through verbal, physical, mental, or written interactions. Bullying can cause undue anxiety relative to attending school, playing on the playground, participating in or attending activities, or riding on the bus. This can adversely affect student or employee performance.

Examples of bullying include but are not exclusive to:

1. Intimidation--either physical or mental.
2. Threats of any kind.
3. Assault--verbal, physical, mental, or toward property.

The School Board expects administrators and supervisors to make it clear to students and staff that bullying in the school building, on school grounds, on the bus, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension or expulsion of students, and termination for employees.

End of Policy

FHACIA.....Adopted: 10/20/09

## **HAZING**

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

No student, teacher, administrator, other employee, volunteer, or contractor of the school district shall plan, direct, encourage, aid, or engage in hazing. No teacher, administrator, other employee, volunteer, or contractor of the school district shall permit, condone, or tolerate hazing. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.

Hazing activities are seriously disruptive of the educational process in that they involve students and violence or threats of violence. This policy applies to behavior that occurs on or off school property and during and/or before or after school hours. A person who engages in an act that violates school policy or law in order to initiate another person or to be initiated into or affiliated with a student organization shall be subject to discipline for that act. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, other employee, volunteer, or contractor of the school district who is found to have violated this policy.

Hazing means committing an act against a student, or coercing a student into committing an act, that creates a risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:

- Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
- Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects a student to stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.

- Any activity that causes or requires the student to perform a task that involves violation of state or federal law, or of school district policies or regulations.

Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct that may constitute hazing shall report the alleged acts immediately to a teacher, building principal, or other administrator. Any person may report hazing directly to the principal or Superintendent.

Teachers, administrators, other employees, volunteers, or contractors of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute hazing shall inform the building principal immediately. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, or work assignments. Every report of hazing shall be investigated by the administrator to whom it is reported. The administrator may request assistance or designate a third party to conduct the investigation. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.

Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, in-school or out-of-school suspension, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with applicable statutory authority, including school district policies and regulations.

The school district will discipline or take appropriate action against any student, teacher, administrator, other employee, volunteer, or contractor of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

End of Policy

FHCIB.....Adopted: 10/20/09

**PRAYER DURING NON-INSTRUCTIONAL TIME**

Students are permitted to engage in religious expression during non-instructional time, i.e., before school, after school, during lunch and recess, and while not engaged in school activities. Religious expressions permitted include Bible reading, prayer, scripture reading, grace before meals. These activities may be engaged in by individual students. However, the exercise of constitutional rights of religious expression may not be engaged in when the expression disrupts educational activities or extracurricular activities. The decision to participate or not participate in religious expression is a matter of individual choice. No student will be permitted to harass or intimidate other students to participate or refrain from participating in religious expression.

Legal Ref: PL 107-110, No Child Left Behind Act of 2001

End of Policy FHCM.....Adopted: 10/20/09

## **STUDENT DISCIPLINE**

Good discipline in the school is extremely important to the school program. Without good discipline the school cannot discharge its primary responsibility in the development of citizenship. Without good discipline the school cannot maintain a learning environment that is safe, drug free, and conducive to learning. Without good discipline, students cannot realize their greatest opportunities for growth. Good discipline in the classroom consists of businesslike behavior which encourages active, cooperative participation by each student.

In situations involving undesirable behavior, it is necessary for the school to impose discipline. Disciplinary measures should be reasonable and appropriate to the nature of the misbehavior of the offending pupil and in accordance with the law.

Principals and the administrative staff are charged with maintaining adequate discipline in each school. All employees of the school system should aid in the discipline of the schools.

Teachers are expected to assume responsibility for the discipline of students in the individual classrooms as well as contributing to the monitoring of discipline throughout the building. The teacher is responsible for the care, discipline, and instruction of pupils in his/her charge and as assigned by the principal or Superintendent. The teacher shall enforce all rules governing the conduct of pupils. In maintaining discipline, the teachers must be able to proceed with the assurance that support will be forthcoming from the principal, the Superintendent, and the School Board.

The authority of school officials acting pursuant to school rules is applicable to student behavior on and off campus when relevant to any lawful mission, process, or function of the school. The school may prohibit any action which impairs, interferes with, or obstructs the missions, processes, and functions of the school. Any off-campus student activity which does not come within this test is beyond the power and the responsibility of school officials to regulate. The relationship of each off-campus student activity to the mission, process, or function of the school must be determined from the specific fact situation.

The constructive side of discipline should be emphasized. A climate conducive to good citizenship should be created in the school. The best discipline prevents rather than corrects after the wrongdoing has occurred. Conferences with teachers, principals, and parents should be effectively employed to bring about acceptable classroom behavior.

Parents should be advised promptly when students begin to get into difficulty which might lead to suspension.

The use of corporal punishment, defined as physical pain inflicted on a student, is not allowed in the Glen Ullin Public School District. The use of any instrument such as a paddle or stick on a student is strictly prohibited. Corporal punishment does not include action taken by an employee for self-defense, protection of persons or property, obtaining possession of a weapon or other dangerous object, to quell a verbal disturbance or for the preservation of order. The School Board recognizes that reasonable physical force may occasionally be necessary to guard the safety and well-being of students or employees or to deliver a student to an administrator's office.

Complaints against a teacher regarding corporal punishment will be dealt with in accordance with school board policy on personnel complaints. (See Policy BIBA/KAGAB)

Legal Ref: PL 107-110, No Child Left Behind Act of 2001

NDCC 12.1-05-05, Use of force by persons with parental, custodial, or similar responsibilities

NDCC 14-02-07 Force to protect

NDCC 15.1-19-02, Corporal punishment - Prohibited

NDCC 25-01.2-01, Definitions

NDCC 25-01.2-09, Punishment - Isolation - Physical Restraints - Psychosurgery - Sterilization - Shock treatment

NDCC 25-01.3-01, Definitions

ARC vs State of North Dakota Civil Case No. A1-80-141, March 7, 1984

End of Policy FHD.....Amended: 10/20/09

## **SUSPENSION AND EXPULSION**

Students are expected to conduct themselves in a manner suitable to their age and grade. Students willfully disobedient or consistently disturbing the class are subject to corrective discipline.

The School Board hereby delegates to the Superintendent or each principal the authority to deal with disciplinary problems in his/her school including suspension. Suspension includes in-school suspension from classes as well as expulsion from school, classes, buildings, grounds, and activities.

A principal or Superintendent may suspend a student for up to ten (10) days or recommend expulsion of a student. Parents of the student shall be notified promptly if a suspension has been given. The Superintendent shall also be notified when a suspension has been imposed. The Superintendent may expel a student for the remainder of the current school year after providing notice and a hearing as set forth in FHDA-R. When the conduct violates the district policy on carrying a weapon and the weapon is a firearm as defined by that policy, the expulsion may be for up to one calendar year. The Superintendent shall determine the length of the expulsion on a case by case basis.

Conduct, including but not limited to the following, exhibited while on school grounds, during a school-sponsored activity, or during a school-related activity is subject to suspension or expulsion:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Causing or attempting to cause physical injury to another person except in self defense.
4. Possessing or transmitting any firearms, knives, explosives, or other dangerous objects.
5. Possessing, using, transmitting, or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind.
6. Disobedience or persistent defiance of proper authority.
7. Behavior which is detrimental to the welfare, safety, or morals of other students, and/or substantiated harassment.

8. Truancy.

9. Any student behavior which is detrimental or disruptive to the educational process, as determined by the principal.

10. Offensive and vulgar language, whether or not it is obscene, defamatory, or inciteful to violence, where it is disruptive of the educational process.

11. Threats of violence, bomb threats, or threats of injury to individuals or property.

### Enrollment of Suspended Students

Any student who has been suspended from a school of this district is not eligible to attend any other school within the district until eligible to return to his or her regular school. Any student who has been suspended from another district will not be permitted to enroll in the District until eligible to reenroll in his or her former district or until the Board or the Superintendent has reviewed the prior suspension and determines that the suspension was illegal or improperly given.

Copies of these rules shall be printed in the Parent/Student Handbook that is distributed to each student annually.

Legal Ref: 20 U.S.C. 1413, Individuals With Disabilities Education Act

NDCC 15.1-09-33(17), School board - Powers

NDCC 15.1-19-09, Students - Suspension and expulsion - Rules

NDCC 15.1-19-10, Possession of a weapon - Policy - Expulsion from school

End of Policy FHDA.....Amended: 10/20/09



## **GUIDELINES FOR SUSPENSION AND EXPULSION**

### **SUSPENSION**

Suspension involves either in-school suspension or the dismissal of a student from school classes, buildings, and grounds. Suspension is indicated only in grave situations, and shall not be for more than ten days. The parent(s) of the student are to be notified promptly by the school principal that suspension has been issued.

The authority to initially determine whether or not a student shall be suspended, for a period not to exceed ten days, rests with the principal or assistant principal and can be exercised

AFTER the student is given:

1. Oral or written notice of the charges against him/her.
2. An explanation of the evidence against him/her.
3. An opportunity to present his/her side of the story.

There need be no delay between the time notice is given and the conduct of the above procedure. In those cases where a student's presence poses a continuing danger to persons or property or any ongoing threat of disrupting the educational process, the student may be immediately removed.

For expulsions, see the guidelines for hearings. (FHDA-E1)

### **EXPULSION**

Expulsion of a student from school is appealable to the school board, and, except when the behavior is bringing a firearm to school, may not extend beyond the end of the termination of the current school year. Such action would follow only after suspension and following a conference of the parent(s) and the administration. If the student involved has a disability, see the section entitled Students with Disabilities.

The responsibility of the school does not end with expulsion. The guidance department shall notify other appropriate agencies when a student has been expelled. A file shall be kept, questionnaires sent to be filled out and returned, and an effort made to help the student.

### **PRE-HEARING NOTICE TO STUDENT**

The student and the student's parent shall be provided with the following notices, prior to the hearing outlined below:

### 1. Notice of Charges

The specific charges against the student shall be stated clearly enough for the student and the parent to understand the grounds of the charge and to be able to prepare a defense.

### 2. Notice of Nature of Testimony and Witness

The nature of the evidence against the student, and the names of any witnesses whose testimony may be used against the student, shall be provided.

### 3. Notice of Hearing

The date of a hearing, which shall be within a reasonable time not to exceed ten days, if the student is currently under suspension, unless a postponement is requested or agreed to by the parent, shall be provided.

### 4. Notice of Right to Present Evidence

The right to present witnesses or documentary evidence to rebut the charges against the student shall be explained.

### 5. Notice of Right to Adult Representation

The right to be represented and/or assisted at the hearing by a lawyer or other adult shall be explained. A parent or guardian who is unable to attend the hearing may provide written designation of another adult to assist the student in the parent's absence.

## STUDENTS WITH DISABILITIES

### 1. Suspension of Students with Disabilities

Students with disabilities may be suspended for a period not to exceed ten school days for any conduct which would warrant suspension for a student who does not have a disability. The suspension may be effected immediately upon the decision of the designated building administrator who will review the file to ascertain if the Individual Education Plan (IEP) addresses the behavior in question. If the IEP does address the behavior, the specified procedure should be followed. The administration must make and document efforts to contact and notify the parent prior to the suspension.

A student with disabilities may be suspended for additional periods of up to ten school days for separate acts of misconduct as long as such removals do not constitute a pattern or change in placement. Educational services must be provided in cases of removals (suspensions) in excess of ten days in a school

year. The services are to be provided to the extent determined necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals of his/her IEP. The principal in consultation with the student's special education teacher shall make the service determination. Beginning with the eleventh day of suspension in a school year, the school must also comply with the provisions of Regulation 300.520 of the Individuals with Disabilities Education Act (IDEA). If suspensions in excess of 10 days in a school year constitute a change of placement as defined in IDEA Regulation 300.519(b), then a manifestation determination review (Regulation 300.523(a)) must be conducted before a suspension is implemented.

In any suspension, the student's parent or representative shall be given oral or written notice of the charges, an explanation of the evidence supporting the charges, and an informal opportunity to respond to and rebut the charges.

## 2. Expulsion of Students with Disabilities

An expulsion may be effected for a student with a disability for any conduct which would warrant expulsion for a student without a disability. Prior to expulsion, the Individual Education Plan (IEP) Team will meet to determine whether the misbehavior is a manifestation of the disability based on the criteria of Regulation 300.523(c) of IDEA. If the IEP Team determines that the misbehavior is a manifestation of the disability, the student may **not** be expelled. The District has an obligation to provide educational services during the time of expulsion. The manner in which the services are provided will be determined by the IEP Team.

A student with a disability must continue to receive a free appropriate public education whether or not they are expelled. A student with a disability for whom expulsion has been recommended is entitled to all the due process rights available to a student without a disability for whom expulsion has been recommended. In addition, the student with a disability is entitled to all the due process procedures available to a student with a disability under the Individuals with Disabilities Education Act and applicable state policies and procedures.

A special education student who is a danger to self or others or who has carried a weapon as defined by IDEA regulations to school or to a school function may be removed from his or her current placement. Such a student shall be placed in an appropriate interim alternative placement in accordance with the IDEA Regulation 300.521-529.

## CONDUCTING HEARINGS FOR EXPULSION

### 1. Nature of the Hearing

The hearing is not a court proceeding and should not be referred to or conducted as such. The administrative hearing should be conducted without the rigidity of

court hearings, and there are no specific rules of evidence or procedure that must be followed. The thrust of the entire hearing is directed toward a determination of whether the reasons offered for the proposed suspension or expulsion are supported by substantial evidence. The evidence offered at the hearing should be directed toward attaining the truth, and each situation may call for a slightly different approach. The key to conducting a successful hearing is to search for the truth through reasonableness and fairness.

## 2. The Hearing Official

The student is entitled to an impartial hearer of facts. The principal may conduct the hearing unless he/she is biased or prejudiced against the student and the student can subsequently establish that this bias or prejudice deprived him/her of a fair hearing. The principal may conduct the hearings if his/her acts, judgments, or decisions are not at issue, i.e., if the confrontation or the incident at issue did not involve the principal directly. If the principal is not qualified under this rule, his/her immediate superior or some other administrative official(s) should then be called upon to conduct the hearing. If in doubt about whether the principal's acts, judgments, or decisions are at issue or if the principal cannot conduct a fair and impartial hearing, the principal should not conduct the hearing. The entire thrust of having a person conduct a hearing is to have someone conduct it who is impartial and can render a fair decision. Consideration might be given to setting up hearing committees of faculty members to conduct the hearings.

## 3. Representation of the Student

There is no definite requirement that the student must have representation at the hearing; however, if the student or his/her parent(s) request that he/she be represented by an attorney, his/her parents, or another adult, the request should be granted. The school should attempt to involve the parents in the disciplinary proceedings from the outset. The school may refrain from making its presentation through an attorney if the student is not represented by counsel.

## 4. A Recording of the Hearing

A record of the hearing should be made to substantiate that the required elements of procedural due process were afforded the student. This can be accomplished by several methods.

- a. Tape recorder--the preferred method at the building level is to tape record the entire proceeding. The presence of a tape recorder has a constructive effect on the decorum of the hearing; however, its presence can also create an atmosphere so formal that the participants may be reluctant to discuss the issue in terms that will result in a resolution of the problem.

- b. Secretary--A second method is to have a secretary or other member of the staff keep, as nearly as possible, an accurate record of the proceedings.
- c. Court reporter--If the expulsion should reach the level of the school board, consideration may be given to utilizing a court reporter.

When any of these methods is used, the student and his/her parent(s) or other representative should be so advised. All evidence that is introduced in the form of written documents should be marked so as to identify the origin and order of introduction. Examples of this would be, "School Exhibit 1, 2, 3," etc., and "Student Exhibit 1, 2, 3," etc.

The tape recordings or notes need not be transcribed until an appeal has been perfected to the next level or a suit filed. When the appeal is to the School Board, it is generally not necessary to transcribe the recordings because the Board can simply listen to the tapes. All records of a hearing should be kept for several years or until the threat of a lawsuit has passed.

#### 5. Open or Closed Hearing

Since the North Dakota Open Meetings Law is not applicable to hearings before school administrators, such hearings will be closed to the public. Any appeal heard by the school board is subject to the Family Rights and Privacy Act (FERPA) and shall be closed unless the parent waives their rights under FERPA in writing..

#### 6. Witnesses in the Room

At the request of the school representative or the student or his/her parents, witnesses may be excluded from the room while the others are offering testimony. The hearing officer should make the suggestion at the beginning of the hearing, before any evidence is presented, that if either side wishes to have witnesses excluded from the room, it may do so. At no time may the student or his/her parent or representative be excluded from the room.

#### 7. Cross-Examination

The hearing officer should permit cross-examination if any circumstances indicate that it is necessary in order to reach the truth or to otherwise conduct a hearing which is fundamentally fair. If ever in doubt as to whether cross-examination is necessary, permit it; to do otherwise is to invite litigation. If one side is permitted to cross-examine the witnesses of the other, the opposing side must have the same privilege.

#### 8. Sworn Witnesses

If a notary public or other officer capable of taking oaths is available, witnesses should be sworn before offering testimony.

## 9. Substantial Evidence

If, at the conclusion of the hearing, the reasons given for the proposed expulsion are supported by the evidence offered at the hearing, the student may be expelled. After a full and fair hearing has been conducted, it may not be necessary to expel the student because the problem has been worked out. Frequently, agreement between the administrator and the student and his or her parents can be reached as to the student's future conduct at school, or as an alternative the student may be transferred to a special program or special school.

The action of the student does not have to be proven beyond a reasonable doubt as in a criminal trial, but the action must be supported by substantial evidence. There must be evidence presented upon which the hearing officer can establish that the student did do the alleged acts. In determining whether there is substantial evidence to support a finding of misconduct, the hearing officer may take into consideration only that evidence presented at the hearing. The hearing officer should not consider any rumor or other suggestion heard outside the room prior to or after the hearing.

## 10. Making the Decision and Giving Notice to the Parties

After the hearing officer decides whether to expel a student, the hearing officer has the responsibility of promptly informing the student, his or her parents, the student's counsel, or his or her representative, both orally and in writing, of the decision. If the student is found guilty of misconduct, the decision should specify the misconduct in sufficient detail to inform the student fully of what he or she was found to have done. The decision must be specific enough so that a reasonable person can be advised of the finding and know what to appeal to the next level. In informing the student of the decision, the hearing officer should also inform the parties of the right to appeal the decision to the next level and how to do so.

## 11. Appeal to School Board

An appeal of the hearing officer's decision may be made to the school board and should be reviewed at the next regular meeting of the Board, except when good cause is shown for calling a special meeting for that purpose. Since the expulsion will affect or become a part of the student's educational record, the appeal hearing before the Board will be in executive session unless the parent/guardian signs a written waiver of their rights under the Family Educational Rights and Privacy Act.

Legal Ref: 20 U.S.C. 1232g(e)(f), Family Educational Rights and Privacy Act  
45 CFR 99.30/99.31, Regulations  
NDCC 15.1-09-33(17), School board - Powers  
NDCC 15.1-19-09, Students - Suspension and expulsion - Rules  
NDCC 15.1-19-10, Possession of a weapon - Policy - Expulsion from school  
Goss v. Lopez, 419 U.S. 565 (1975)

End of Regulation FHDA-R.....Approved: 10/20/03

## **COLLECTION OF STUDENT FEES**

It is the policy of the Glen Ullin School District that no student may charge hot lunch or activity tickets. Hot lunch tickets may be purchased individually or by the month. Reduced price and free tickets for hot lunch are available according to federal guidelines.

Fees for shop, home ec. and computer materials, breakage fees for lab courses, drivers' education and other similar fees must be paid at the time of registration. Any materials used or breakage occurring prior to the student being dropped will be billed to the parents of the student. Activity participation fees are to be collected prior to the start of the co-curricular activity. Fees are to be paid prior to the start of classes or activity unless arrangements have been made with the Superintendent.

This district will vigorously pursue the collection of any outstanding bills, including personal contact by the Superintendent, use of a collection agency and/or the use of small claims court.

Legal Ref: NDCC 15.1-09-36, School board - Authority over student fees

End of Policy

FHFB.....Adopted: 10/20/09



## **STUDENT ORGANIZATIONS (Secondary Schools)**

### Policy Statement

It is the policy of the district to encourage the organization and operation of curriculum-related, school-sponsored student organizations in the secondary schools and to permit such organizations to meet on school premises during activities periods and noninstructional time. The district does not intend, however, to create or permit an open forum for student-initiated organizations in the secondary schools. The purpose of this policy is to establish criteria and procedures governing the recognition of curriculum-related student organizations.

### Recognition of Student Organizations

Curriculum-related student organizations serve as an extension of the regular school curriculum. Their function is to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum.

Student organizations meeting the criteria of this policy and approved by the principal and/or Superintendent will be deemed to be officially recognized, school-sponsored student organizations. Any organization which fails to meet the criteria of this policy will be denied recognition as and the privileges of a student organization. Recognition of any student organization shall be in accordance with district procedures.

### Membership

Membership in student organizations shall be voluntary and shall be open to and limited to all students currently enrolled in the school. Student organizations may establish academic qualifications for membership where necessarily related to the purposes of the organization. No student shall be denied membership on account of his or her race, color, national origin or religion. Qualifications based on gender may be imposed only where necessary to preserve the health, safety or welfare of students, or where gender is a bona fide and integral qualification for the activities of the organization.

### Faculty Sponsorship

Every student organization shall be sponsored by one or more of the members of the school faculty, approved by the principal and/or Superintendent. Faculty sponsors shall be responsible for the supervision and direction of all activities of

the organization, shall actively participate in planning and implementing the activities and shall attend all meetings.

Compliance with Law and Policy

Student organizations shall not engage in any activity which is contrary to law, district policy or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any students or staff members. Student organizations shall comply with the purchasing policy of the district and may not extend the credit of the district. Failure to comply with these provisions shall be grounds for revocation of recognition.

Other School Groups

Consistent with the district's purpose not to establish an open forum in the secondary schools, student groups other than student organizations officially recognized under this policy shall not be permitted to meet on school premises. This policy shall not be construed to limit the rights of students to form groups which meet outside of school for any purpose.

End of Policy

FID.....Adopted: 10/20/09

## **MANAGEMENT OF STUDENT ACTIVITIES FUNDS**

The accounting system for managing student funds shall be designed to yield the largest possible educational return to students without sacrificing the safety of funds or exposing pupils to undue responsibility or unnecessary routine.

The administration is charged with the responsibility for making rules, regulations, and procedures for the conduct, operation, and maintenance of extracurricular accounts, and for the safeguarding, accounting, and auditing of all monies received and derived there from.

All clubs or other school connected organizations' finances are under the direct control of the advisor through the superintendent's office. Clubs or other activities must make arrangements to see that all monies collected or raised through the sale of tickets, articles, or materials are deposited with the main office.

The annual school district audit shall include an audit of student organization funds. Payment for the audit shall be made from district funds.

Under no circumstances are students or sponsors excused from this regulation. Any unencumbered class or activity funds will automatically revert to the general activity fund of the school when a class graduates or an activity is discontinued.

When an activity is terminated for any reason, the Superintendent will provide an account of its funds and will provide for their transfer to the general activity fund of the school.

Cross Ref: Policy HHA, System of Accounts  
Legal Ref: NDCC 15.1-07-10, Activities fund  
School Board Resolution dated 12-19-95

End of Policy

FIDA.....Amended: 10/20/09